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THE

CABINET CYCLOPÆDIA.

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Biography.

EMINENT BRITISH STATESMEN.

VOL. V.

BY THE RIGHT HONOURABLE

THOMAS PEREGRINE COURTENAY.

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PREFACE.

If, in making a selection from British statesmen, those only were taken to whom the character of *Hero* may be ascribed, we should have but scanty volumes. If every politician were included who has been important in his own day, we should have a library interesting only to the minute historian. Preserving the distinction between biography and history *, it is desirable to give such Lives as illustrate each succeeding age: such biography will not supply the place of history; but, without it, history will be less perfectly understood and remembered.

I have said, of one of the statesmen whose lives occupy this volume, that he was neither a hero nor a genius; and the same remark is applicable to the other.

This want of a distinctive character, nay, even the absence of fanaticism, political or religious, has greatly augmented my difficulty in writing, and will probably lessen the interest in reading, the Lives of Cecil and Danby.

* See Vol. I. p. 2.

But there are special reasons for writing each of them. Cecil's life occupies a period, from the death of Burleigh to the time at which Eliot began to be known, of which there is no notice in this collection. And Cecil too is a man to whom, perhaps from the greater eminence of his father, less than justice has been done.

The times in which Danby lived will, unquestionably, be illustrated by the Lives of other statesmen, who have been more honoured by posterity. But Danby through the greater part of his life stood alone, and his story requires to be told by itself. He, too, has scarcely met with justice, contemporaneous or posthumous.

The two Lives are brought together, although the former ought to have preceded the Lives of the men of the Commonwealth, because they are both written in the same spirit.

I have endeavoured to give as much interest to my narrative as is consistent with the deficiencies which I have acknowledged, by recurring to original information wherever I could obtain it.

I lament that I have obtained nothing from Hatfield House or Hornby Castle: this defect is not owing to any want of courtesy on the part of the marquis of Salisbury or the duke of Leeds, but from the state in which, from accidental circumstances, the family manuscripts are at this moment placed. Of the Cecil papers, indeed, there have already been voluminous publications; but I have lately been informed that the original correspondence

between Robert Cecil and James VI. of Scotland, which escaped a former search (see p. 80.), have been recently discovered: a confirmation is thus afforded to an opinion which I have given in this volume, and on a former occasion, that the publication of sir David Dalrymple does not contain that correspondence.

Athenæum Club,
March 16. 1838.

T. P. C.

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LIVES

OF

EMINENT BRITISH STATESMEN.

ROBERT CECIL, EARL OF SALISBURY.

1563—1612.

The first volume of "British Statesmen" concluded with the "advices" which the great lord Burleigh gave to his second son for his conduct in life. It is seldom that the object of these paternal instructions, of which we have many examples in the history of eminent men, himself attains that eminence which tempts the historian to enquire whether the advice has been followed.

The cases are still more rare in which the son of a great minister has succeeded him in the conduct of public affairs. Perhaps, where political talents have been hereditary, they have, in the greater number of instances, descended, as in the present case, to a younger son; but I know of no instance, except that of the Cecils, in which the succession to office and power has been immediate.

This peculiarity would perhaps of itself call for some account of the life of Robert Cecil; but there are other grounds for continuing the history of this favoured family. The elder Cecil was the minister of a monarch whose

reign has at all times been reckoned among the most glorious in our history; it was the lot of the younger, during the principal part of his administration, to serve a king, to whose name and policy it has been a habit to impute every sort of meanness and degradation; and although there was in many particulars a resemblance between the father and the son, the one is universally classed among the greatest of our statesmen, while the other has hardly kept his rank among the ablest of our politicians. There is, perhaps, some reason to doubt whether the popular judgment has been strictly accurate in its comparative estimate, either of the princes or of their ministers.

Robert Cecil was born on the 1st of June, 1563.* While an infant, he was injured by a fall from his nurse's arms†, and was always small in stature, and feeble in constitution. His early education was conducted in his father's house under a zealous and excellent tutor.‡ He went, at the age of sixteen§, to St. John's College in Cambridge, where he took the degree of M. A.

Of his proficiency nothing is known: it is probable that if he had not paid some attention to mathematics, his father would not have addressed to him his observations upon the suggestions of the astronomer Dee, for the amendment of the calendar; upon which Robert himself also made notes, which Strype has preserved.‖

It may perhaps be taken as a symptom of the acquiescent and unmoving character of the Cecil policy, that neither father nor son did any thing towards correcting the error in computation, of which they were both aware. Indeed, as almost two centuries elapsed before the calendar was reformed in England, this remark might be extended to the English nation.

* Inscription on a monument in Westminster Abbey. Strype's Annals, iv. 473.

† Sir Theodore Mayerne's medical account of him in Ellis's Letters on English History, 1st series, iii. 246.

‡ Lives, I. 347.

§ Life and Death of Robert Cecil, earl of Salisbury, 4to. 1612.

‖ Annals, part ii. p. 526.

It was probably at this period that Robert visited Italy, a fact which is collected from a letter in which Francis Bacon* congratulates him on his success in acquiring the Italian language.

His public life commenced in 1586, when he was returned to parliament for Westminster.† But his first introduction to political service was in the branch of diplomacy. It is said that he accompanied the earl of Derby‡, when he carried the order of the garter to Henry III. of France, in the year 1585; but he was attached to the more important mission upon which that nobleman was employed in 1587§, when, together with lord Cobham||, sir John Crofts (comptroller of the queen's household), and doctors Dale and Rogers¶, he was sent to negotiate in Flanders with the prince of Parma.

I have seen few of Cecil's letters prior to this time; and those which I have are illustrative rather of the manners of the times than of our peculiar subject. In one, we hear of the transition of the well-known sir Christopher Hatton, from the condition of a dancing favourite, to that of keeper of the royal conscience.— "Sir Christopher Hatton," Robert Cecil informs his father, "has left off his hat and feather, and now wears a flat velvet cap, not different from your lordship's."** This letter begins, "May it please your lordship††," a style very different from that now in use between father and son. Another letter, not quite intelligible to me, at least shews that the hour, though not the designation, of the sociable meal was the same in the days of queen Elizabeth as in those of Victoria. "For your doublet I have not yet spoken with my tenants, but I mean to

* Works by Montagu, xiii. 49.

† 27th Elizabeth. He was again elected for Westminster in 28th Elizabeth; and for Herts 31st, 35th, 39th, and 43rd. Willis's Notitiæ Parl. iii. 103. 112. 121. 130. 140. 149.

‡ Henry, fourth earl of Derby, died in September, 1592.

§ Murdin's Burleigh Papers, p. 787.

|| William Brooke, seventh lord Cobham.

¶ Camden in Kennet, iii. 544.

** See lord Burleigh's Cap in Lodge's Portr. iv.

†† April 30. 1587. Murdin, p. 588.

press them. If not to black satin, yet to green taffeta for a sporting doublet; or at least a bow and shafts for your good news. Matthew is satisfied; but I shall not be contented if you step not to a piece of mutton with me and your neighbours to-morrow night, for whom we will tarry till seven o'clock; and, therefore, fail not, for I will pay for your boat hire." *

While attached to lord Derby's mission, Cecil carried on a brisk correspondence with his father †, of which I have only space for a few extracts. The first alone I give at length: —

"*Dover*, 16*th Feb.* 1587.

"My duty humbly remembered to your lordship. I received, the 12th of this present your lordship's letter of the 8th, containing your fatherly counsel, both concerning my duty to God, and your direction for my behaviour in particular to the honourable earl, of whom, in this journey, I am a poor follower. The first I so regard, as it will be my chiefest care, with God's assistance, sincerely and truly to observe it, *nam salus servire Deo*. The second I hold so due a debt, as I will study not willingly to break it, but which as they needed not for their own simple truths your lordship's authority, so being now derived from you, whom I make my oracle, that addition will strike in one of them a much deeper impression. My health, thank God, is very good, especially when I take my morning on the top of the castle; the hungry air of the sea-side, which, though it be cold, yet, by its dryness, agrees well enough with my constitution. Of any passage in haste, as I can conceive no hope, so will I not complain of the wind, which being contrary, is not partial, my fortune being no worse than fare my betters. — By the benefit of my admittance to their conferences, the time I spend seems much the shorter; for of the arguments that fall out upon the commission and instructions between the two

* To M. Hicks, Lansdowne MS. 107. No. 36.
† In the State Paper Office.

civilians*, wherein the maturity of the one's knowledge, who hath joined reading with his travail, is tempered by the other's deep learning, who is both slow and sure, doth minister many things, not unworthy of remembrance. — I received from her majesty, by Mr. Crofts, a gracious message, under the sporting name of *Pigmy*, adding unto it her care of my health, and looking to hear of me, whereof I have not so taken hold as she might conceive. I thought it became me to presume to write unto herself, not being desirous of the office, because either I must write of nothing vainly, or else must I enter into that which is both subject here to suspicion, and there to misconstruction. I have here written to my cousin Stanhope, which I know he will shew her majesty; therein, though I may not find fault with the name she gives me, yet seem only not to mislike it because she gives it. It was interlaid with many fairer words than I am worthy of. I have sent my letter unsealed for your lordship to run over, which, if it please your lordship, Mr. Maynard can seal and may deliver. I have forborne to trouble my lady till my arrival at Ostend, wherein I follow partly her last direction, and so, with my humble prayers to God for both your healths, craving earnestly your daily blessings, I humbly take my leave. From Dover, this day of February, 1587. — The scruples here concerned being referred to your lordship, you may perceive that a little thing is troublesome.

"Your lordship's most obedient humble servant,

"Robert Cecil.

"Since my letter, their minds are altered, and all doubts answered."

"*Ostend, 29th Feb.*

"Mr. Dale has lent me some of his books of treaties, which help to spend my time not altogether idly. I

* Drs. Dale and Rogers.

have written to the earl of Oxford*, which I beseech your lordship, my lady, his wife, may send him."

"Ostend, 4th March."

After mentioning M. Grenier, who came from the duke of Parma. — "His personage but small, and not above thirty-six years old at the most; very well favoured, and apparelled neither like a soldier wholly, nor yet as of the long robe particularly; his cloak to the knee furred, a cassock of black velvet with plain gold buttons, and a gold chain about his neck. To his lodging after supper, Mr. doctor Rogers accompanied him, and some other gentlemen, with myself, when he was content to *Uenze* withal, as knowing belike that I wanted not an honourable father, wishing I would take occasion, if the lords removed out of this quarter, to come and see the towns hereabout, but especially the miserable ruins of this poor country and people; whereby it might appear that much they had to answer for, that had, by their rebellion against their lord, been cause of so great effusion of blood, and desolation of so goodly towns and territories. To this I answered I could not but concur with him in lamenting the miseries of these provinces and people so utterly spoiled and ruined; whereof, forasmuch as it was very disputable from what head this fountain of calamity was both fed and derived, I would not enter further therein, it being a matter much too high for my capacity; but I would only pray in behalf of this poor nation, that God would be pleased so to direct their hearts, by whose heavy hand this people was so grievously chastened, as that the compassion her majesty hath always had thereof might be now accompanied with the like correspondency in the king himself, whom it did greatly concern, so far as that, upon this meeting and colloquy (wherein the duke, to his great honour, hath declared so great an affection), all differ-

* Edmund Vere, seventeenth earl of Oxford, a poet and writer of comedies; also famous for having introduced perfumes and embroidered gloves into England. He married Cecil's sister Anne.

ences might be compounded, wherein I knew; besides, the lords who should deal in the cause made great account of his forward disposition, which he protested, affirming that he was no Spaniard, but a Bourguignon."

"*March* 10*th*.

"His wife (he is speaking of La Motte, one of the duke's officers) is a fair gentlewoman, discreet and modest in behaviour, and yet not unwilling some time to hear herself speak. His sister there with him a proper gentlewoman. She is a nun of the order of ——,* to whom it is lawful, upon preferment in marriage, to leave their private life; and, further, it is permitted them, so that in the morning they be attired like nuns, in the afternoon to go like other gentlewomen, as we found her now, and as she informed us of the order."—"Two miles from Ghent, M. Grenier met his lordship, and conveyed him to his lodgings, where, after one hour's stay, the president Richardot †, a tall gentleman, came from his *altesse* to welcome him, and to appoint him audience the next morning. There he supped with him, and after left him to his rest. There is in all their mouths nothing but desire and hope of peace, as well in their speeches that are counsellors, as especially (and that I think from the bottom of their hearts) in their minds that are natives in the country, whose misery is incredible, both without the town, where all things are wasted, houses spoiled, and grounds unlaboured; and also even in these great cities, where they are for the most part poor beggars, even in the fairest houses. The burgomasters of the town, with weeping eyes, came to his lordship; and, expressing their great desire to have quiet, and their joy that it began thus far to be thought on, would needs present him certain pots of wine, according to the manner of the country,

* I cannot read the word, or ascertain how this singular order of nuns was designated.

† Jean Grusset de Richardot, president of the privy council of the Netherlands, celebrated as well for literature as for diplomacy; born 1540, died 1614.

which could not be refused, being such a trifle. To whom was answered, that true it was that, for the great compassion had of their estates by her most excellent majesty (upon notice given that the duke was desirous to hear of a peace), she had vouchsafed to make this overture, which if it took not her desired effect, yet was not her majesty to be thought behind therein; but those that had already been cause of the contrary: whereto they all agreed, and prayed for her majesty. According to the appointed time on Saturday, the president, with M. Grenier, accompanied his lordship to the duke's court, where he was brought first into a dining chamber, where his *altesse* was accompanied with the marquis of Rentz, the marquis of Guasta, the prince of Aremberg, the count Nicholas, the duke of Hagerel's son, a Spaniard, sieur Cosmo, the president Richardot, and not two persons besides these named. Small and mean was the furniture of his chamber, which, though they attribute to his private lying here, yet it is a sign that peace is the mother of all honour and state, as may best be perceived by the court of England, which her majesty's royal presence doth so adorn, as it exceedeth this as far as the sun surpasseth in light the other stars of the firmament. After Mr. Dale's message was delivered, which the duke heard with great attention, the duke replied sometimes in French, sometimes in Italian, alleging that his French tongue was imperfect, as indeed it was; and that done, those gentlemen that were there being presented by Mr. Dale unto him, among the rest it pleased him more particularly to question with me of her majesty's good health, assuring me there was not a prince in the world (reserving always the question between her majesty and the king) whom he desired more to do service to than her majesty, of whose perfection he had heard so much, as he wished that all things might so fall out, as that with conveniency it might be his fortune to see her before his return into his own country, which he desired not to do as a servant to him that was not able still to maintain war, or as

one that feared any harm that might befall him therein; for, as touching any such matter, his account was made long ago to endure whatever God should send, but only that he grew weary to behold the miserable state of these people, fallen upon them through their own folly, wherein he thought whosoever could do the best offices should do *pium et sanctissimum opus*, being right glad that the queen my mistress was not behind him in the zeal thereof; and adding thus far more that, for mine own particular (in respect he understood I was son to him who had served always his sovereign with unfeigned sincerity, and that he saw he was appointed chiefly to deal in this cause of importance by her majesty), he would leave no courtesy unperformed that I should have need of, here or elsewhere. I answered him that, where his *altesse* expressed his good affection, particularly to her majesty, and chiefly to this cause in hand, I knew her majesty esteemed of him as a prince of great honour and virtue, and that, for this good work begun, no man should ever have cause but to think her majesty most zealously affected to bring all this to a perfect peace and quiet in this afflicted country; affirming that, for mine own particular, I would be glad to do what service I could in reserving the integrity of my loyal duty to my most gracious sovereign." — "To return to the garrison of Bruges. May it please your lordship to understand that, arriving there on Friday, by three of the clock of the afternoon, I staid there all night, being invited to supper by sir William Reade. The next day sir John Wingfield, brother-in-law to my lord Willoughby*, invited me to dinner. His wife, the countess of Kent†, lieth-in, being newly brought to bed of a son, which sir William Drury came from the

* Lord Willoughby was Peregrine Bertie, born at Wesel, in exile, occasioned by the protestantism of his parents in the time of queen Mary, and so called, *eo quod in terrâ perregrinâ pro consolatione exilii sui piis parentibus a Domino donatus sit*.

† Susan, daughter of Richard Bertie and Catherine baroness Willoughby de Eresby in her own right, and widow of Charles Brandon, duke of Suffolk, married, first, Reginald Grey, earl of Kent, and, second, sir John Wingfield. Collins, ii. 5.

Hague to christen, as my lord's deputy, three days before. There be many tall gentlemen, especially captain Francis Vere *, that was in Huys, who is a very proper man, and was as ready to have shewed me any courtesy as I could have desired it. They have some particular griefs against the treasurer: they would have a little imparted them to me, saying that but for your lordship they should have wanted much more than they do; and yet do they sufficiently complain. I shifted them off, and wished them to impart it to my lord of Leicester, or here to my lord Willoughby; but I perceive they mean to make their suit to the whole council board. I humbly beseech your lordship, if it please you, if any of the captains come over, to bestow some thanks for their courtesy to me, to whom it is no small comfort to hear how great honour is spoken of your lordship, without dispraise of any other, for your honourable care of them here in her majesty's service." — "My lord Willoughby met to-day with count Maurice †, in whom there is neither outward appearance of any noble mind, nor inward virtue. In my life I never saw worse behaviour, except it were one lately come from school."

"*Ostend, 5th April*, 1588.

"The duke himself wished Richardet to speak unto me for a fine hound, and a brace of English greyhounds. Your lordship would wonder how fond he is of English dogs. I could not but in good manners promise him to provide them him, especially proceeding from his own particular motion, insomuch as at Ghent he begged a dog of Byne, which he gave him, though he was little worth. M. Lamotte sent me a cast of hawks when he sent my lord Cobham but three hawks.

"There is no fine day but I receive from him one courteous message or other, with sometimes a pheasant

* The well-known sir Francis Vere, a cadet of the Oxford family; he had already distinguished himself by his defence of Bergen-of-Zoom, against the prince of Parma. Biog. Dict. xxx. 294.

† Count Maurice was the son of the prince of Orange, by Anne of Saxony, daughter of Maurice, the heroic elector. Kennet, ii. 543.

or a hare, which we can here requite them no way more to their contentment at Bruges, than with 500 or 600 oysters, which, since their lordships' arrival, are daily to be bought in the town.

"My lord of Derby's two chaplains have seasoned this town better with sermons than it had been before with prayers for a year's space, whereby the gentlemen here are benefited; to whom they also minister a general communion amongst us that live here in a town of garrison, this good time, where all sin is rifest."

Cecil always corresponded with Michael Hicks, who appears to have been private secretary to lord Burleigh. The following extract of a letter, written while he was at Dover, shows that the young politician had learned, at this early period of his life, some of the least amiable practices of official men.

"Mr. Wondell, at my departure, entreated me to solicit my lord that he might come over, if his lordship had occasion to send over. This I am loth to do; and therefore, good Michael, *make this lie for me, — that you have seen some private letter of mine to my lord, wherein I have performed his request to recommend his desire; which done, he is satisfied, and the thing will never be more thought of.*" *

The mission of lord Derby did not lead to peace; and, soon after his return from Flanders, Robert Cecil, deformed and feeble as he was, accompanied his brother, and the flower of the English nobility, in the fleet destined for the defence of England against the Spanish Armada. †

After the memorable discomfiture of the Spaniards, he returned to civil life. In 1589, he married ‡ Elizabeth, sister of Henry Brooke lord Cobham. Little is

* Brit. Mus., Lansdowne, vol. lxv. No. 71.

† In Aikin's Memoirs of Elizabeth (ii. 221.) is a specimen of the ill-natured depreciation to which the younger Cecil is subjected. The lady "presumes that nothing but his steady determination of omitting no means of attracting to himself the royal favour, which he contemplated as the instrument to work out his future fortunes, could have engaged him in a service so repugnant to his habits!" Why should not Cecil, at 25 years of age, have possessed a spirit beyond his strength?

‡ 31st August, Burleigh's Diary. Murdin, 791.

known of this lady*; such evidence as is afforded by Cecil's correspondence†, as to his private life, gives no reason to doubt of his living in affectionate intimacy with his wife. But this union endured but for three years: she died in 1590, leaving one son and one daughter.

Although it would appear that Cecil was at this time silent in the house of commons, he was soon destined by lord Burleigh for the highest political offices.

His growing importance in the state necessarily placed him in collision with other candidates for the queen's favour. The history of two of these in particular, Essex‡ and Ralegh§, is connected with the most controverted passages of Cecil's life. The characters of the two men, though very different one from the other, were both distinguished from that of Cecil by those attributes of enterprise and glory which ensure to the possessor a superiority over him whose merits are peaceful and domestic. Posterity even marks this difference more strongly than contemporary observers. Misfortune is scarcely less operative than glory, in ensuring

* I know not whether the following letter was the commencement of this courtship, or refers to some other attachment; it was probably addressed to Dorothy Nevill, wife of sir Thomas Cecil, the elder son of lord Burleigh. — "The object to mine eye yesternight at supper, hath taken so deep impression in my heart, as every trifling thought increaseth my affection. I know your inwardness with all parties to be such, as only it lyeth in your power to draw from them whether the mislike of my person be such, as it may not be qualified by any other circumstances. Which if it be so, as of likelihood it is, I will then lay hand on my mouth, though I cannot govern my heart, and, saving my duty to God, exclaim on nature, who hath yielded me a personage to hinder me all other good fortune. Otherwise, good madam, there shall be no good means thought of, or pains devised, which I will not willingly use for the purchase of my lady's favour and liking. The managing of which my suit, I leave to your ladyship's direction; wherein, if it please your ladyship to yield me your furtherance, as an addition to your former favours, I shall, as most bounden, remain your affectionate brother-in-law, to do you any service shall lie within the compass of my small power. Your ladyship's to command, R. C." Lansdowne, vol. cxxi. No. 28.

The following refers distinctly to his wife: — "Your letters are welcome, because they are not short; let mine not be unwelcome, they be not long, for the good-will is all one. Sir W. Ralegh and I dining together in London, we went to your brother's shop, where your brother desired me to write to my wife, in anywise not to let any body know that she paid under 3*l.* 10*s.* a yard for her cloth of silver. I marvel that she is so simple as to tell anybody what she pays for every thing." (vol. cvii. No. 35.)

† Lansdowne, vol lxvi. No. 68.; vol. lxviii. No. 89.; vol. cvii. No. 48.

‡ Robert Devereux, second earl of Essex, born 1566.

§ Sir Walter Ralegh, born 1552.

posthumous renown. A minister, therefore, pacific in his policy as well as his profession, who dies of disease, while in possession of great and lucrative offices, has no equal contest with brave commanders, who fight their way to fame, and die upon the scaffold. These, which the reader of history must acknowledge to be truths, cannot fairly be forgotten in treating of the transactions of Cecil with Essex and Ralegh. Their story has been told often and loudly; let his be now heard, as I shall fairly relate it. My task would be easier, my narrative would flow more glibly and agreeably, if I could see nothing but oppression and suffering. But no man who considers without prejudice the evidence on either of these transactions, can find on one side an unprovoked, malignant persecutor, or on the other an innocent and meritorious victim.

There was, from an early period, a mutual distrust and rivalry between Cecil and Essex, the rising statesman, and the queen's accomplished favourite; and there is no evidence, at any period, of that sort of friendship between these two politicians which can justify either in reproaching the other with unkindness, still less with ingratitude, if he forebore to espouse, or even stedfastly opposed, his interests. The rivalry between Cecil and Essex was not criminal, except inasmuch as it was a departure from the strict and pure morality of the Gospel; — tried by that standard the criminality was equal.*

Their rivalry as public men first broke forth on the death of secretary Walsingham, in 1590. Essex desired the restoration of the ill-used Davison, and, failing in that object, espoused the cause of Thomas Bodley, then ambassador in Holland, but now better known as the founder of the great library at Oxford. Robert Cecil was put forward by lord Burleigh. Bodley himself tells us, that the Cecils were at first his friends, and that lord Burleigh designed him as colleague to his

* It is not fairly said, "Robert Cecil sickened with fear and envy, as he contemplated the rising fame and influence of Essex." Edin. Rev. lvi. 18.

son; but that Essex, who "sought by all means to divert the queen's love and liking both from the father and the son, accompanied his prodigal speeches of his sufficiency for a secretary with words of disgrace against the lord treasurer." The Cecils thereupon, not unnaturally, "waxed jealous of Bodley's courses," as if underhand he had been induced, by the cunning and kindness of Essex, to oppose himself against their dealings. *

Elizabeth, offended at this disparagement of her minister and his son †, and acting with her usual indecision, forebore to confer the post upon either candidate; but Robert received the honour of knighthood ‡, bestowed in those days upon political, as it is now upon judicial and legal, functionaries.

This distinction was connected by the courtiers with "the expectation of his advancement to the secretaryship;" but still, for some years, they said, "the knighthood must serve for both." § He was, however, soon honoured by a more important distinction, being sworn of the privy council ||; and from this time he assisted his father in lieu of a regularly appointed secretary. ¶

I know not whether the situation which Robert thus held afforded him any salary; but it was manifestly attended by another incident of office, the discontent of an applicant for ministerial influence. Essex soon began

* Sir T. Bodley's Memoirs, cited in Biog. Dict. v. 471.
† Camden, in Kennett, ii. 594.
‡ 20th May, 1591. Murdin, 796.
§ Sir Thomas Wylkes to sir Robert Sidney, 8th June, 1591. Sidney Papers, l. 326.
|| 2d Aug. 1591. Murdin, 797. Sidney Papers, 329.
¶ I presume that it was about this time that Cecil wrote thus to Michael Hicks: — "If you can conjecture by Mr. Lakes being with my lord, or my lord's speech to him, whether my lord had been thinking of secretaries or no, or speaking with the queen, seeing I hear nothing, I pray you answer my desire to write unto me. You are not commanded, but recommended from those two good friends, of the inconstant sex you profess so much to love and honour, in anywise wear a chain if you love yourself, and not an agate, for Smart and Rogers used to wear tables at those days. In anywise, if you put on a blue coat, put on besides a dagger." This is endorsed, "to know the success of his business for secretary. Immediately when your bowling games be ended, send me word, I pray you, of the election, creation, suspension, or confusion of her Majesty's principal secretary.
(Signed) "Ro. Cecil.
Eliz. Cecill."

5 Lansdowne MS. vol. cvii. Nos. 45, and 48.

to address to him his complaints of the unkindness of the queen, "whom he held so dear;" and he had now a suit in some pecuniary matter before his royal mistress, whose parsimony often took place of her affections. He had desired Cecil to favour his suit, and was not well pleased with his exertions. "Sir Robert," he writes to the new privy counsellor, "I have been with the queen, and have had my answer. How it agrees with your letter you can judge after you have spoken with the queen. Whether you have mistaken the queen, or used cunning with me, I know not. I will not condemn you, but leave you to think, if it were your own case, whether you would not be jealous. Your friend if I have cause, ESSEX." *

The subject of this remonstrance appears, so far as I can understand it, to have been assistance in pecuniary difficulties. Whether the suit was reasonable or not, I cannot ascertain. Those only who think that the suitor is always in the right, and the placeman in the wrong, will take this as a proof of unfair dealing in Cecil.

Other letters of the same time show that Essex was at times better satisfied with the exertions of the Cecils in his behalf, and laid the whole blame upon the queen. The volatility of Essex leaves it doubtful whether distrust or satisfaction retained its position in his mind; but certainly the discontent of a proud and popular nobleman, at the want of success in his claims upon the government, constitutes no proof of injustice in a minister.

Sir Walter Ralegh had now recommended himself by his gallantry in both senses to the queen, and had obtained the post of captain of her guard. He was also a member of parliament, and supported the measures of the queen's government, which was now represented by Cecil. † The letters which at this period he addressed to Cecil ‡ indicate the familiarity of

* July, 1592. Murdin, 655.

† March, 1592. Southey's Hist. of Nav. Com. iv. 232. 241. 244. Parl. Hist. i. 883.

‡ Murdin, p. 658. 663-4.

intercourse which would naturally result from their relative positions in parliament and at court, but are those rather of a follower than a friend. They relate principally to Ralegh's pecuniary concerns, as connected with the projected expedition to the West Indies, and with the lands which had been granted to him in Ireland.

It was to Cecil that the adventurous knight addressed, shortly afterwards, that well-known letter of fantastic flattery, which it was not more weak in Elizabeth to receive, than it was base in a man of Ralegh's understanding to offer.* We shall see that, a few years later, Ralegh acknowledged, with gratitude, the friendly services of Cecil, in labouring to remove the queen's displeasure, occasioned by his amour with Elizabeth Throckmorton.† While Ralegh was in confinement, Cecil, with other commissioners from the queen, accompanied Ralegh, who was in custody, to Dartmouth, or met him there for the purpose, apparently, of some investigation connected with the booty taken in his expedition to the West Indies.

Sir John Gilbert, and the mariners who had served under Ralegh, and with whom he was extremely popular, were examined upon oath; but I can give no particular account of the object of the inquiry.‡ There appears to have been some misappropriation or abstraction; but whether it was a question between the queen and the adventurers, or between Ralegh and his companions, I cannot ascertain. Cecil's report of this proceeding is written in a tone of good-will towards Ralegh, but with perhaps a slight hit at his eagerness for booty. "All the mariners came to him with such shouts and joy, as I never saw a man more troubled to quiet them in my life. But his heart is broken, for he is very extremely pensive, longer than he is busied, in which he can toil terribly. But if you did hear him

* Southey, 251.
† Dedication of his Discovery of Guiana, Works, viii. 379.
‡ See Thomson's Life of Ralegh, pp. 92. and 482., where there is a letter from R. Cecil, dated from Dartmouth Tower, 21st Sept. 1592.

rage at the spoils, finding all the short wares utterly wasted you would laugh as I do, when I cannot choose.— I do grace him as much as I may; but I find him marvellously greedy to do any thing to recover the conceit of his brutish offence. I have examined sir John Gilbert by oaths, and all his, who I find clear, I protest to you, in most men's opinions. His heart was so great till his brother was at liberty, as he never came but once to the tower, and never was aboard her*; but now he is sworn, he doth set all hotly abroad to hunt out others, and informs us daily of his spies, wherein he would not be so bold, if he could have been more touched, where I do assure you upon my faith, I do think him wronged in this; however, in others, he may have done like a Devonshire man."†

Although he was not yet invested with official rank, Cecil now became an important person in the house of commons. It was not, however, until he had sat for more than seven years in parliament, that he made his maiden speech.‡ This first effort of oratory is preserved; and, if it cannot be compared with the speeches which in our days have been heard in support of motions on supply, it may challenge comparison with any of the speeches delivered on the same occasion. It differs, indeed, rather in style than in substance from the orations of secretaries of state in the nineteenth century.

In conformity with the principles which he inherited and consistently maintained, Cecil represented the dangers resulting from the ambition of the catholic king of

* The Carrick, apparently, the cargo of which was the object of investigation.

† I do not quite understand this apparent imputation upon my fatherland. I am afraid that Devonshire men were, if they are not still, unsparing *wreckers*; but I cannot bring the allusion nearer. See Gent. Mag. vii. 562.; viii. 255. There is a P. S. "Good Mr. Vicechamberlain, pray be kind to my sorrowful poor Bess, your cousin" Thomson's Ralegh, p. 482. Cecil's wife was dead; was there another daughter besides Frances?

‡ February 19. 1592-3. In moving to appoint a committee to consider "in what proportion they might now relieve her majesty with subsidies, in respect of those many and great enemies against whose power and malice she was to provide, and prepare for necessary defence and preservation of her realm and dominions." Parl. Hist. i. 871.; D'Ewes's Journ. 471. Cecil himself said, according to the Parl. Hist., that he had sat in five parliaments; but this appears to have been the fourth only.

Spain, and the pope, "that antichrist of Rome," and lauded Elizabeth, "who had abolished the papal authority, and set up God's truth among us; and to her great renown, made this little land to be a sanctuary for all the persecuted saints of God." He touched the many dangers her majesty had been in, "which as it caused him to fear to think, so did he tremble to speak concerning the dangers of her country; and to the loss of our lives, liberties, wives, children, and all other privileges."

From the mode in which he urged the importance of timely provision against the ambitious designs of the king of Spain, it would appear that an excessive economy had left England too defenceless against the Spanish Armada of 1588. "Then sent Philip," he says, "his navy, termed invincible, and was almost upon the banks of us before we were aware: yea, we were so slack in provision, that it was too late to make resistance, had not God preserved us." Although the spirit of the queen and people would have finally repelled any invading force, which the duke of Medina Sedonia could have landed, Cecil spoke wisely in favour of constant preparation. Philip II., however, had changed his course; and had now, by Cecil's account, some rather wild schemes for establishing his power in England. He sought to win the low countries, and to obtain *Ireland;* with a view to this last object, he was to obtain a passage through Scotland, by means of gold scattered among the nobles. A more practicable object was a footing in France, especially in Brittany, where already, through his alliance with "the Holy League," he possessed some ports. These, and the increased number of papists, were the grounds upon which the ministers of Elizabeth solicited and obtained a copious supply.*

The curious in parliamentary law will find, in the proceedings of this session, an important discussion upon the functions of the lords in matters of supply.

* The estimate amounted to 1,218,803*l.*

Cecil had now the support of sir Walter Ralegh; but Francis Bacon spoke for the exclusive privilege of the commons, and objected to the conference with the lords, which Cecil had proposed. Upon this point the minister was beaten; but he afterwards carried a modified resolution, prepared by Ralegh.*

From this time Cecil was a frequent speaker. † I will mention one of his speeches in this parliament, as elucidatory of the system of Elizabeth and her ministers, and of the influence which puritanical or presbyterian doctrines had already obtained. Two bills were introduced ‡ for restraining the power of bishops, especially in exacting from their clergy subscriptions to articles of faith, and oaths of canonical obedience. These bills probably arose out of the proceedings of archbishop Whitgift, who had been so active in the assertion of the divine right of bishops, and in the exaction of minute conformity and obedience, as to produce a remonstrance from lord Burleigh. § The measure was clearly aimed at the episcopal jurisdiction, if not at episcopacy itself; and particularly at its claim to an origin independent of the crown. The matter was discussed with much freedom; but Cecil ventured not to oppose the bills upon their merits. "It was hard for him," he pretended, "to answer speeches well studied and premeditated on the sudden, and he would suspend his opinion, though the bill seemed to contain things

* Parl. Hist. i. 885, 886. Bacon, xii. 28.
† Parl. Hist. i. 886—900.
‡ Strype's Life of Whitgift, ii. 128. Parl. Hist. i. 875. 889.
§ Strype's Whitgift, iii. 81 104. Martin Mar-prelate was written against this archbishop. There is in Murdin's collection a letter from Burleigh to Cecil, of May 26th, 1593 (p. 666.), from which I extract a passage which belongs rather to the father's biographer than the son's.—"The allegation of the papist ministers at Paris, noting that her majesty did promise favours, and afterwards did shew extremities to the catholics, is false. For her majesty, at her entry, prohibited all change of the form of religion as she found it by law; and when, by law, it was otherwise ordered by parliament, she did command the observation of the law newly established, punishing only the offenders according to the law; and afterwards offenders of the church did become rebels and traitors, and conspired her majesty's death, and procured invasion of the realm by strange forces. The realm, by parliament, provided more sharp laws against such rebels and traitors; and so her majesty's actions are justified in all times, having never punished any evil subject, but by warrant of law." I believe that this letter has not been adverted to by the historians of Elizabeth's reformation.

needful;" but he urged that "the queen had forbidden them to meddle in such cases *," which she had taken into her own hands: and this princess, to whose reign, by a strange perversion, some friends of liberty are fond of adverting with commendation, made her meaning more plain, by an injunction to the speaker (sir Edward Coke) not to read any bill "touching matters of state, or reformation in causes ecclesiastical." †

The mover, Mr. Morice, was committed to the custody of the chancellor of the exchequer. ‡

About this time Elizabeth paid a visit to lord Burleigh at Theobalds; when the literary talents of Robert Cecil were taxed, for an oration to be addressed to her majesty by a *hermit*, who formed a principal part of the entertainment prepared for the queen. "Most gracious sovereign! I humbly beseech you not to impute this my approaching so near to your sacred presence, so rudely at your coming to this house, to be a presumption of a beggar; for I hope, when your majesty shall be remembered by me who I am, and how graciously you have heretofore, on the like occasion, relieved my necessity, your majesty will be pleased to receive my thanks upon my knees with all humility. I am the poor hermit, your majesty's beadman, who, at your last coming hither (where God grant you may come many years), upon my complaint upon your princely favour, was restored to my hermitage, by an injunction, when my founder, upon a strange conceit, to feed his own humour, had placed me, contrary to my profession, in his house, amongst a number of worldlings, and retired himself in my poor cell, where I have ever since, by you only goodness, most peerless and powerful queen, lived in all happiness, spending three parts of the day in repentance, the fourth in praying for your majesty,

* p. 878. † p. 889.
‡ See Hallam, i. 353. After the dissolution of this parliament, April 10th, 1593, none was called until October 24th, 1597. In that, which lasted only till the 9th of February, 1597-8, Cecil, who still sat for Herts, made no speech which is recorded, though he spake largely for a supply. Parl. Hist. i. 894—905.

that, as your virtues have been the world's wonder, so your days may see the world's end. And surely I am of opinion, I shall not flatter myself if I think my prayers have not been fruitless (though millions have joined in the like), in that, since my restitution, not only all your actions have miraculously prospered, and all your enemies been defeated; but that which most amazeth me, to whose long experience nothing can seem strange, with these same eyes do I behold you, the self-same queen, in the same estate of person, health, and beauty, in which so many years past I beheld you, finding no alteration but in admiration, insomuch I am persuaded, when I look about me on your train, that time, which catcheth every body, leaves only you untouched." He alludes to himself under the description of "my young master:"—"And therefore seeing I hear it of all the country folk I meet with, that your majesty doth use him in your service, as in former time you have done his father, my founder; and that, although his experience and judgment be no way comparable, yet, as the report goeth, he has something in him like the child of such a parent." He concludes with announcing a present of a bell, book, and candle.*

All the letters of this period show Robert Cecil rising in favour and influence. We now find an introduction to him sought by Adam Loftus †, archbishop of Dublin, and chancellor of Ireland. However much it may be usual, in our days, for suitors, even of the highest rank, to solicit directly and circuitously the favour of ministers of state, there is something in the tone, and in the channel of the prelate's solicitation, which induces me to record it. The archbishop, who was under an accusation of which I know not the purport, thus concludes a long and humble appeal to the lord treasurer Burleigh: — "My good lord, I have none other to rely upon, being unknown to all the rest of their lord-

* The hermit's oration at Theobalds, 1593-4, penned by sir Robert Cecil. Nicholls's Progresses of Queen Elizabeth, iii. 421.

† Ancestor of the marquis of Ely.

ships. Hitherto, under God and her majesty, I never had dependency upon any but the earl of Sussex and your lordship. Neither do I mean to seek a new friend so long as you do live: most humbly beseeching your honourable lordship to be a mean for me unto your son sir Robert Cecil, that under you I may depend upon his honourable favour in my just and honest causes. To which end I have purposely sent over this bearer, my servant, with my letters for him, humbly craving your lordship's good furtherance of this my suit. And I promise of your lordship hereby, upon my honesty and credit, I will never seek his favour in any bad or dishonest cause." *

Other letters of this period illustrate the method in which official suits were in those days recorded. They also introduce Robert Cecil, though still ostensibly without office, as the object of such applications. † After mentioning the application which had been made on the part of sir Robert Sidney, for a short leave of absence from his diplomatic duties in Holland, the queen's characteristic hesitation, and the requests made for the interests of Burleigh, Essex, and Cecil, Rowland Whyte writes thus: — "My lord of Essex, and my lord treasurer, have their bore-pies; and this day the rest are presented; — my lady (Sidney) reserving none for herself; bestowing her two upon sir Robert Cecil, in hope he will be careful for your leave." ‡ Again: "The bore-pies are all delivered, and specially much commended for their well seasoning. Sir Robert Cecil, as I was twice credibly informed, refused the present sir Edward Uvedale § sent him, and hath denied to meddle in the business for his accounts, which maketh him much to marvel." || Subordinate

* 27th of May, 1594. Strype's Annals, iv. 291.

† In one letter of this period, I find Cecil informing his correspondent, that the queen is apt to mislike if any the least thing swerve from her majesty's directions, in form as well as substance. May 6. 1594. Harleian, 6996. art. 75.

‡ 16th of November, 1595. Collins's Sydney Letters, i. 361-2.

§ Lieutenant Governor of Flushing.

|| Contrast this with the conduct of Bacon. See Edin. Rev. lvi. 55.

functionaries were not inaccessible. Their rapacity even intercepted the grace of their superiors. We have a letter in which archbishop Hatton distinctly tells lord Burleigh that the pardon of a convicted priest could only be got through the Court of Requests by the means of a present of "20 crowns," which he furnished from his private purse, as a small remembrance of a poor man's pardon, and was thankfully accepted of. "Your lordship," he adds, "would do well, in mine opinion, to move Mr. secretary Cecil to deal often in these works of mercy; it will make him beloved by God and man." * It would appear that in those days almost every arrangement was a matter of private solicitation. Cecil had obtained a favour for some connection of his friend Michael Hicks. After requesting that his part in it may not be known, he says, "For it will disable me to do him or others pleasure hereafter, by my access to her majesty's ear, which now I so use as her majesty cannot suspect that I look to any thing but her service, which as I profess and protest, I did and do most of anything in all my recommendations: so do I not deny to myself the liberty that, when other things concur, my friends are now neayest to me in my wishes and honest endeavours." † Certainly if, as the well-informed Strype conjectures, this favour consisted in an advantageous match, Cecil cannot be blamed for preferring his friend to a stranger.

Cecil found it difficult to satisfy the suitors of the crown; and, amongst others (as we have already seen), the eccentric Essex.

Another ornament of the court of Elizabeth, bette known to the world than Essex or Ralegh, contributed to the estrangement between Cecil and Essex. Francis Bacon ‡ was the cousin-german of Cecil, and had been from early life accustomed to correspond with him; sometimes in terms of that flattering deference to which

* 27th of May, 1597. Strype's Annals, iv. 425.
† 1595. Strype's Annals, iv. 347.
‡ Birch, i. 124. 152. 165.

this "greatest and meanest" of mankind too frequently condescended.

When the jesuit Persons published his virulent pamphlet against Elizabeth's government, in 1592*, Bacon, in an elaborate answer to the libel, spoke thus of his kinsman Cecil. "He has brought in," says Bacon, quoting from the libeller, "his second son, sir Robert Cecil, to be of the council, who hath neither wit nor experience; which speech," adds the father of our philosophy, "is as notorious an untruth as in all the libel: for it is confessed by all men that know the gentleman, that he hath one of the rarest and most excellent wits of England, with a singular delivery and application of the same; whether it be to use a continued speech, or to negotiate, or to couch in writing, or to make report, or discreetly to consider of the circumstances, and aptly to draw things to a point; and all this joined with a very good nature, and a great respect to all men, as is daily more and more revealed. And for his experience, it is easy to think that his training and helps hath made it already such, as many that have served long prentishood for it, have not attained the like: so as if that be true *qui beneficium digno dat, omnes obligat*, not his father only, but the state is bound unto her majesty, for the choice and employment of so sufficient and worthy a gentleman."†

Bacon, however, did not implicitly follow Cecil's lead in parliament. He had raised constitutional objections to the interference of the lords in matters of supply, and had thereby offended the queen. Nevertheless, on the advancement of sir Thomas Egerton, attorney-general, to be master of the rolls ‡, he applied to his kinsman for his patronage. It appears that Cecil told him of some impediment to his promotion; to

* Birch, i. 90. "A declaration of the true causes of the great troubles presupposed to be intended against the realm of England, wherein the indifferent reader shall manifestly perceive by whom and by what means the realm is brought into these pretended perils."

† Bacon's Works, by Montagu, v. 466.

‡ April 10. 1593. Beatson's Pol. Ind. ii. 326.

which Bacon refers in the following letter: — "Sir, I thank your honour very much for the signification which I received by Mr. Hicks, of your good opinion, good affection, and readiness; and as to the impediment that you mention, and I did forecast, I know you bear that honourable disposition, as it will rather give you apprehension to deal more effectually for me than otherwise; not only because the trial of friends is in case of difficulty, but again, that without this circumstance your honour should only be esteemed a true friend and kinsman, whereas now you shall be further judged a most honourable counsellor; for pardons are each honourable because they come from mercy, but most honourable towards such offenders. My desire is, your honour should break with my lord, your father, as soon as may stand with your convenience, which was the cause why now I did write: and so I wish your honour all happiness.

"Your honour's in faithful affection to be commanded,

"Fr. Bacon.

"*From Gray's Inn, this* 16*th of April*, 1593."*

The objection to which, as Bacon appears to have been aware it was at the least difficult for Cecil to remove, consisted in the queen's displeasure; but not Cecil alone, but the lord-keeper Egerton, considered his standing in the profession as scarcely sufficient to justify his advancement.†

Bacon believed that lord Burleigh stood his friend with the queen, but that Robert Cecil wrought in a

* Bacon, xii. 474.; from Lansdowne, lxxv. art. 36. A prior letter from Cecil to Hicks relates to the attorney and solicitor-general, but is unintelligible to me. Egerton was attorney-general during the whole of 1592; and the solicitorship was vacant till Coke was appointed in June. "Mr. Hicks, if not now, never. For Mr. Solicitor, doubt him not, or my word; and on the other, she doth and hath resolved; and I hope to-morrow my lord shall have order for it. Mr. Attorney removeth, and Mr. Solicitor with him. Believe it, this is as certain as any such resolution can be. *Burn this.* Your friend,

"Robert Cecil."

Lansdowne, vol. lxxii. No. 85.; endorsed 1592.

† Lord Burleigh to Bacon, 27th of September, 1593. Works, xiii. 72.

contrary spirit to his father.* He remonstrated with sir Robert in a letter in which, departing from his usual style of flattery, he accused his cousin of corruption. "Sir, your honour knoweth my manner is, though it be not the wisest way, yet taking it for the honestest, to do as Alexander did by his physician, *in drinking the medicine, and delivering the advertisement of suspicion:* so I trust on, and yet do not smother what I hear. I do assure you, sir, that by a wise friend of mine, and not factious towards your honour, I was told, with asseverations, that your honour was brought, by *Mr. Coventry,* for 2000 angels, and that you wrought in a contrary spirit to my lord your father. And he said, further, that from your servants, from your lady, from some counsellors that have observed you in my business, he knew you wrought underhand against me. The truth of which tale I do not believe; you know the event will show, and God will right. But, as I reject his report (though the strangeness of my case might make me credulous), so I admit a conceit, that the last messenger my lord and yourself used dealt ill with your honour; and that word (speculation) which was in the queen's mouth rebounded from him as a commendation: for I am not ignorant of those little arts. Therefore, I pray, trust not him again in my matter. This was much to write; but I think my fortune will set me at liberty, who am weary of asserviling myself to every man's charity. Thus I," &c. †

Although we know not the date of this accusatory letter, we may conclude that it was written after Bacon had obtained the patronage of Essex, who now became the chief patron of the rising lawyer, and pressed for Bacon's appointment to be attorney-general, whereas the Cecils only desired, and that perhaps not very earnestly, that he should have the secondary office of solicitor. — "Good lord," said Robert Cecil to Essex, who proposed Bacon as attorney, "I wonder that your lordship

* Montagu's Life of Bacon, xvi. p. 30.
† Bacon, xii. 157.

should go about to spend your strength in so unlikely or impossible a matter," desiring him to tell him of only one precedent of so raw a youth to that place of such moment. Essex, very cunningly working upon him, said, that for the attorneyship he could produce no pattern; but that a younger than Francis Bacon*, of less learning, and no greater experience, was suing and shoving with all force for an office of far greater importance than the attorneyship: such an one he would name to him. This hit at Cecil's pretensions to the secretaryship was too direct to be parried. He, therefore, answered "he knew his lordship meant him," and urged his hereditary qualifications, and his father's deserts. Essex, however, reproved him sharply for his depreciation of his kinsman.†

Not long after this conversation, sir Edward Coke being destined for the office of attorney-general, Robert Cecil wrote with some earnestness to sir Thomas Egerton in favour of Bacon. "I have no kinsman living," he said, "my brother accepted, whom I hold so dear. Neither do I think that you, or any other, can confer any good turn upon any gentleman, though I say it unto you in private, likelier for his own worth to deserve it.‡

It is clear that there was some embarrassment or jealousy between the Bacons and the Cecils. Francis Bacon was a man of great promise; and it is not unnatural that Cecil, his near kinsman, should perceive with dissatisfaction the symptoms of a connection between the Bacon family and the followers of the earl of Essex, who was in the habit of using disrespectful and hostile language towards "Monsieur le Bossu," as Cecil was called by reason of his figure. § Francis Bacon himself, alluding no doubt to his insinuation of bribery, owned that he had shown himself "too credulous to idle hearsays against his kinsman and good friend sir

* Bacon's age was at this time. 34; Cecil's 31.
† February, 1594. Birch, i. 152.
‡ March 27. 1594. Birch, i. 165.
§ Birch, 153.

Robert Cecil * ;" and he soon resumed, with great complaints of the queen's delay, his ordinary style of application to Cecil, "upon whom now," he says, "in the absence of my lord of Essex, I have only to rely." † Cecil's answer to this application (the only letter which I can find) evinces the placability of his disposition, and shows that he foresaw that Bacon's talents would in time overcome all difficulties. "Cousin, I do think nothing cut the throat more of your present than the earl's being somewhat troubled at this time. In the delay I think not hard, neither shall there want my best endeavour to make it easy, of which I hope you shall not need to doubt by the judgment which I gather of divers circumstances confirming my opinion. I protest I suffer with you in mind that you are thus gravelled; but *time will* founder all your competitors, and set you on your feet, or else I have little understanding." ‡

Coke having now become attorney-general §, Cecil continued to profess himself favourable to Bacon's promotion to the office of solicitor, and placed all difficulties upon the queen, "whose nature was not to resolve, but to delay." Certainly the queen's behaviour, on this, as on other occasions, justified the imputation of indecision and caprice, if not of the practice of the vile "art of tormenting." She neither admitted, nor positively rejected, the applications made to her, and forbore to fill up the office of solicitor, till her service actually suffered inconvenience from its vacancy. ||

It is certain that the disfavour of the queen created a real difficulty in the way of Bacon's promotion, which the Cecils had probably not the power, even if they had the will, to remove. Of this disfavour Essex's letters afford the proof, who tells Bacon that the queen was "so wayward, and in so much choler," that he could not

* Bacon to Burleigh. 21st of March, 1594. xii. 475.
† May 1. 1594. xiii. 78.
‡ Bacon, xiii. 79.
§ Beatson, ii. 329.
|| Birch, i. 195, 196. There was no appointment till 1594, when the office was given to Thomas Fleming. Beatson, ii. 331. Strype's Annals, iv. 301.

speak to her; and that, on another occasion, she would not listen to him, and told him that none but Burleigh and Essex thought Bacon fit for the place. If the ground of the queen's estrangement was the conduct of Bacon in the late session of parliament, it could not appear unreasonable to Robert Cecil, whose motions, as the queen's minister, had been opposed by his kinsman. * From Bacon's letter of complaint, it would appear a reprehension of his turn for "speculation" had been ascribed to Elizabeth; and Cecil somewhere terms him a "speculative man," indulging himself in philosophical reveries, and calculated more to perplex than promote public business." *

It is not improbable but that the queen, eminent, as well as Robert Cecil, in the class of practical politicians, applied the epithet of "speculative" to Bacon's constitutional objection to the interference of the lords in a matter of supply. In modern times, such conduct in parliament, and the avowed attachment to a rival leader, would amply justify the denial of promotion; and it would not have been expected that the conduct of a minister towards his kinsman should have been even "all kindly outward." Cecil did as much as Bacon had a right to expect; and, if he was in any respect blameable, it was in not distinctly telling his truant kinsman that he ought not to expect more. Plain dealing was not the virtue of the age.

However, during the christmas holidays of 1596, Bacon had received "gracious usage" from the queen; and Cecil had professed an oblivion of all misconceits passed. ‡ Such was the state of feeling among the

* Parl. Hist. i. 881. See Hallam's Constitutional History, i. 376.

† See Montagu's Bacon, xvi. 26.

‡ Birch, ii. 241.; and see 337. Other branches of the Bacon family were suitors to Robert Cecil. The following is an answer returned, a few years later, to an application concerning the office of clerk of the alienations, held by Edward Bacon. — "The request of Mr. E. Bacon contains two parts; the latter more easy than the other. For where he feareth that some other shall procure a reversion over his head of his office, I do not distrust my poor credit so much, as not to be able, by representation of the merit of his worthy father to her majesty, to hinder any such matter. For the second, which is to obtain it for his son, I dare not promise to effect it; for that is a direct suit, wherein I am neither fortunate nor forward." 24th of April, 1597. Birch, ii. 337.

competitors for royal favour, when the still further advancement of the successful Cecil revived the jealousy of Essex. In June, 1596, that enterprising commander had sailed on the expedition to Cadiz, for the success of which the queen offered up the prayer which has been already recorded elsewhere*; wherein Elizabeth solemnly declared that "no motive of revenge, no quittance of injury, nor desire of bloodshed, nor greediness of lucre, hath bred the resolution of our now set-out army; but a need fulcare, and wary watch that no neglect of foes, nor over-surety of harm, might breed either danger to us, or glory to them."

If we may believe Cecil, it was without the queen's knowledge, or permission, that he obtained a sight of this prayer, and transmitted it to Essex, in a letter which I would willingly suppress. I have some difficulty in believing that so much blasphemous flattery was written to be seen by none but Essex. "My very good lord," "I send you herein a worthy encouragement for you that go forth, with an exceeding comfort for us that remain: for there is nothing that so much pleaseth the Almighty as prayers; no prayer so fruitful as that which proceedeth from those who do nearest in nature and power approach him; none so near approach his place and essence as a celestial mind in a princely body. And as his divine Majesty hath an eye more singular to actions of princes, so hath he doubtless an ear more gracious to their prayers. Put forth, therefore, my lord, with comfort and confidence, having your sails filled with his heavenly breath for your forewind. You have left alone in her sufficient wisdom at home for the security of the state, and godliness, which is great riches, both perfectly united in her royal breast. That which was meant a sweet sacrifice for one, I have presumed (not of trust) to participate with her: it came

* Southey, iv. 44. The prayer is from Strype (Annals, iv. 302.), who says that it was found among lord Burleigh's MS. In the same vol. (p. 440.) there is another prayer, said to be "of the queen's composing, and in the queen's stiff affected language." It is difficult to believe that the two were written by the same person at the same age.

to my hands accidentally. I dare scarce justify the sight, much less the copy. Consider, however, my condition; and if I may reap silence from any adventure, I will ever be found your lordship's humble, to do you service."*

It was during the absence of Essex, upon this expedition†, that sir Robert Cecil, whose influence had been improving daily‡, at last obtained the office of secretary of state. On the other hand, her reception of Essex did not correspond with his pretensions. At first, the queen was delighted; she thanked the Dutch admiral for his friendship for her cousin, the earl of Essex, whom he conveyed to Plymouth after his separation from the fleet; and she assured her own generals that they had, by the great victory, "so pleased her mind, *as if she had a great treasure, she would leave it for it.*" §

But it soon appeared that the glory did not outweigh the treasure. When Elizabeth found that, instead of deriving pecuniary gain from the expedition, in the shape of booty and ransom, she was called upon to make further disbursements on account of it, she grew angry with Essex, and began to depreciate his services.|| Ralegh, and the naval commanders, were now praised, at the expense of the land officers. In reference to this dispute, Essex writes to Bacon:—"I was more braved by your little cousin Cecil, than I ever was by any man in my life; but I am not, nor was not, angry, which is all the advantage I have of him."¶ If Essex kept his temper, so probably did Cecil, whom I take to have been habitually placid and cool, and probably without very warm feelings. Notwithstanding these ups and downs of Essex's displeasure, he continued to appear friendly to

* Birch's Memoirs, ii. 18.
† It sailed on the 1st of June, and returned on the 8th of August, 1506. See Naval Hist. iv. 39. Murdin, 809.
‡ Sidney letters. February and March, 1596-7. ii. 17. 28.
§ Southey, 73.
|| Birch, ii. 93. 96. 140. Southey, 75.
¶ Birch, 131.

him; nor is there sufficient ground for pronouncing his friendship hollow.*

Then occurred one of those instances of royal caprice, against which few ministers could stand, and which had well nigh driven from his post even the placid and prudent Burleigh. Elizabeth, disappointed of her share of plunder, first reproached her ministers with the loss of this golden opportunity; and then, when perhaps observing her renewed favour towards Essex, they supported his claim to the ransom of the prisoners, she turned round upon her aged minister with those harsh and unfeminine expressions which have already been recorded.†

It has been mentioned as a reproach to the Cecils, and to Essex, that their rivalry was not occasioned by any difference of principle, or opinion upon public affairs, but was a mere contest for influence and power. In modern times, we hold such contests to be justifiable, and even useful, provided that no treacherous or dishonourable means are used. In truth, however, there was a difference of opinion and political principle between the two parties. Essex, ardent for military glory, and reckless of consequences, would have led England into extensive and interminable hostilities with Spain. The Cecils, cautious and frugal, were for confining within the narrowest limits the war which religious controversy and personal pique, rather than any substantial interest, had generated between Elizabeth and Philip.‡

* The following are from sir William Knollys's letters to Essex, evidently written in July or August, 1597: —

"The queen liketh Mr. Secretary going to you exceedingly kindly, and saith she will love him the better while she knoweth him, which argueth her great love and favour to you. And if you lived not in a cunning world, I should assure myself that Mr. Secretary were wholly yours, as seeming to rejoice at every thing that may succeed well with you, and to be grieved at the contrary, and doth, as I hear, all good offices he may for you to the queen. I pray God it may have a good foundation, and then he is very worthy to be embraced. I will hope the best, yet will I observe him as narrowly as I can; but your lordship knows best the humour both of the time and the person, and so I leave him to the better judgment.

"Mr. Secretary remaineth in all show firm to your lordship, and no doubt will so long as the queen is well pleased with you." Birch's Mem. ii. 350.

† Vol. i. p. 331.

‡ Camden, 606.

Yet Cecil was now the more anxious to make a friend of Essex, because he was about to make a journey into France, and was apprehensive of the injury which might be done to him by Essex during his absence.* His advances were coldly received. A reconciliation, however, between the rivals, probably not very cordial, was effected by sir Walter Ralegh, who had recently been presented again to the queen by Cecil, and permitted to resume his functions as captain of the guard. It was supposed that Cecil frequently listened to his advice.† The presents and lucrative contracts‡, conferred soon afterwards upon Essex, were perhaps the fruit of this arrangement.

A more important consequence was the appointment of Essex to the command of a fleet which Elizabeth was, with difficulty, persuaded by her council to equip, for the purpose of acting against Philip, who gave some indications of planning a second Armada. The expedition, which obtained the name of the Island Voyage§, was not prosperous. It failed to intercept the treasure ships, which were perhaps among its chief inducements; and did not prevent the Spanish fleet from insulting the coasts of England. Essex quarrelled with Ralegh, and Cecil was appointed to the chancellorship of the duchy of Lancaster||; and this favour done to one rival, with the advancement of the lord admiral Howard to the earldom of Nottingham, again estranged the wayward favourite from Elizabeth and her ministers.¶

* Sidney Papers, ii. 89.

† March, 1596-7. Sidney Papers, ii. 17. 22. 24. 42. 44. 51. 54. 93. "This day being Monday, sir Robert Cecil went with Essex in his coach to his house, where Ralegh came, and they dined there together. After dinner they were very private all three for two hours, when the treaty of peace was confirmed." R. Whyte, 19th of April, 1597, and 8th of May: "R. Cecil has in some sort appeased Essex in his opposition against him." 14th of May: "Exceeding great kindness continues between him and Cecil."

‡ Sidney Papers, 83. 21st of January, 1597-8. Essex was to have all the cochineal and indigo — cochineal, 50,000lbs. at 18*s*., which sold for 30*s*. and 40*s*. 7,000*l*. paid as her majesty's free gift out of the cochineal. p. 89.; and see Birch, ii. 350. and 380.

§ It sailed 10th of July, 1597, but was driven back. It finally returned to England in October. Camden in Kennett, ii. 597. Southey, iv. 80.

|| October 8. 1597. Sidney Papers, ii. 64.

¶ November 5.; December 21. 1597. ib. 75. 77.

A feigned sickness recovered the favour of the queen*; and the office of earl marshal was conferred upon Essex, which gave him precedence over the lord admiral.†

A letter, written by Cecil while the expedition was detained on the coast, shows that he had at that time no affection for Ralegh, and did not very highly estimate his truth.‡

It was not until after the return of the Island Expedition, that Cecil, who, after many private conferences, obtained an assurance from Essex, that "nothing should pass in his absence that might be a prejudice or offensive unto him §," finally ventured to leave England.

As we now meet with Robert Cecil in the character of a diplomatist, it may be proper to say something of foreign affairs; in the management of which he at this time assisted, and soon afterwards succeeded his father.

Spain was the principal enemy of England, and the United Provinces the chief object of the queen's alliance and protection. The enmity and the alliance both arose out of the devotion of Elizabeth, and of her subjects, to the protestant cause, and partly also out of commercial rivalry. Although France was a catholic country, and her great monarch had lately conformed to that religion, there had long existed in France a catholic league, with which Philip II. of Spain was in close alliance, and in conjunction with which he was in possession of some towns and districts in France. Henry IV., therefore, and Elizabeth, having a common interest in opposing Spain, had both allied themselves with the United Provinces of Holland, for defence against that monarchy. In this common war Elizabeth had not co-operated vigorously: she had furnished to the United Provinces both troops and money, and had given some assistance to the French king; but her money had been advanced

* Sidney Papers, ii.
† Birch, ii. 365.
‡ Greenwich, 26th of July, 1597. Ellis, iii. 41. Southey, iv. 81.
§ 12th of February, 1597. Sidney paper, ii. 89.

by way of loan, and her arms had been chiefly directed against the maritime power of Spain, or in clearing from the enemy the French provinces opposite to England; objects certainly very important to the general cause, but intended by Elizabeth, and seen by her allies, to be more peculiarly advantageous to English interests. She was greatly discontented with the treatment with which her subjects met in France; and she withheld or withdrew her troops when they were employed upon the general service of the French king.* Neither in this, nor in any part of her foreign policy, was Elizabeth willing to incur expenses which were not required to meet an urgent and impending danger. In this cautious frugality she went even beyond the Cecils. Robert Cecil was unable to comply with a requisition from sir Robert Sidney, for supplying the necessities of Flushing, because to withhold them "was the queen's pleasure †"; and she resisted for a long time the equipment of the fleet in 1597, "no danger appearing towards her any where. She would not make wars, but arm for defence, understanding how much of her treasure was spent already in victual, both for ships and soldiers at land; she was extremely angry with them that made such haste in it, and at Burleigh for suffering it, seeing no greater occasion." ‡

Henry IV., perhaps tired of the domestic and foreign wars in which he had been engaged during his whole reign, and feeling sensible that the inconsiderable aid which he occasionally received from England or the States would not enable him honourably to conclude the war, lent a willing ear to overtures for peace from Spain, and sent M. de Maisse § to England to invite Elizabeth, either to render him a more effectual support in the war, or to assist him in making peace.

* See Birch's Historical View of Negotiations, 3. 7, 8. 11. 15. 35. 51. See also Southey, iv. 214. et seq.

† 22d of November, 1595. Sidney Papers, i. 362.

‡ ii. 52.

§ Birch's Negotiations, p. 55. See Villeroy's report in Egerton's Life of lord Keeper Egerton, p. 33, 34. folio.

Henry was, in fact, by this time much out of humour with Elizabeth; and, although he resolved not to make peace without communication with her, he thought that, if he followed England and the States, he should have a war of ten years, and no peace.* Sir Robert Cecil was appointed ambassador extraordinary to the court of France, and received his instructions from his father, who composed, on this occasion, his last state paper.† In this document, and in the proceedings under it, will be found specimens as well of the pure English policy, as of the elaborate, if not mysterious, diplomacy which characterised Elizabeth. Lord Burleigh lays it down as a leading principle, that England can make no peace unless the United Provinces be assured against conquest by Spain; and England thus secured against invasion from that quarter. And, as there appeared no likelihood of any good accord with the United Provinces, the king of France was requested to inform Spain that Elizabeth was not prepared to treat. But then follows, as it were by way of alternative, what is styled "a consideration for a second course to be held for the treaty." In this chapter, after setting forth the acceptableness of peace to Almighty God, the old statesman refers to a requisition from France, that England should determine within forty days whether she would treat with Spain. "Her majesty," says her minister, "has yielded, with some difficulty how to resolve, and to return answer within that number of days;" but she finally determines to send commissioners into France, after certain preliminaries should have been adjusted, of which it is a leading stipulation, that there should be no papal participation in the negotiation with England.

The commissioners ‡ were to be thus instructed: —

They were, in the first place, to express a doubt whether the Spanish commissioners were really empowered

* Sismondi, xxi. 477.

† Considerations upon a motion for a treaty of peace with Spain, upon a motion of the French king. Strype's Annals (Oxford), iv. 451. See also Nares's Memoirs of Burleigh, iii. 472.

‡ Mr. John Herbert and sir Thomas Wylks were associated with Cecil in this commission. Wylks died soon after landing in France.

to treat with them, and to refer to a transaction of 1588, wherein England had been subjected to "a dishonourable accident," in being deceived in this respect. * After this not very conciliatory commencement, they were to inquire whether Spain meant to treat upon old quarrels, and to reproach Philip with the encouragement of the English rebels, and other hostile proceedings; but, nevertheless, "since this meeting was to treat of peace, and not of war, and how friendship that had been exiled was to be seduced home again," it would be more convenient to pass over these discussions, and to consider of a new treaty upon the basis of those that were in force at the time of the "Joyous Entry †," with perpetual oblivion and release of prisoners.

But they were to contend that "the time hath given England just occasion to add to the former treaty some other matters, whereby they might be assured of the fruit of the peace;" and these were to be the terms proposed in 1588. ‡

The paragraphs which follow are interesting, as exhibiting the principle upon which, in these early days of extensive intercourse with the continent, England placed the right and the policy of interfering with the internal concerns of other states.

"The first and principal matter that we are to demand is, to have the United Provinces, with whom now for our safety we are bound to a mutual defence, to have such assurance made to them, and promised to us also by special covenant, as they may continue in the state wherein they are, both for the government of the people and country, for their ancient liberties, and defence of their towns and forts, without changing of their profession or religion; which, being granted with good

* Birch. Neg. 56.

† Probably the entry of Philip II. into the Netherlands, in the lifetime of his father, 1548.

‡ See Lingard, viii. 332. These are the terms proposed in lord Derby's negotiation. — "That the ancient league between England and the house of Burgundy should be renewed; that Philip should withdraw his foreign troops from the low countries; and that freedom of worship should be allowed to all the inhabitants, for the space of at least two years."

assurance, we shall have just cause to accept that peace before treated on, and to make account of the continuance hereof. But otherwise we manifestly see aforehand, that what manner of peace soever shall be offered in words and writing to us for ourselves, will not be firmly kept; but opportunities taken to renew the Spanish counsels, to attempt the subjecting of the principal towns and ports of the low countries, and to obtain the possession of their great shipping, to make with the same an invasion of England, as it were a bridge to come over into this realm." "Now for that it is like that the Spanish deputies will answer, that the people of the United Provinces are the king of Spain's subjects in right of his dukedom of Burgundy, and being earl of Holland and Zealand; and that we have no more interest to join with them, than we will suffer the king to deal with our subjects in England; you may see that if the king had not by his tyrannous governors oppressed them, and attempted to subdue them, to have exiled them that were natural and obedient, to have inhabited the country with Spaniards, as he hath generally done in other countries, and especially in India, by the destruction of more creatures than all Spain hath living, then in truth their answer to be allowed.

"But they are also to consider that *this is not the question, whether we shall or may intermeddle in the causes concerning the king's subjects in general; but whether, upon good proof, finding that he doth earnestly suppress his subjects, and seeketh by conquering of them, both to plant his Spanish nation there, and with them, by possessing and conquering of those countries, to proceed thereby to the invasion and conquest of England.* These circumstances being certainly proved true, by many certainties that cannot be justly denied, the question then, accompanied with those circumstances, is to be answered, that both the States of the provinces have just cause, even by the law of nations, to arm and defend their natural country, and families, against the tyrannous bloody attempts for their subversion, and

planting of strangers, Spaniards, not unlike to tigers in their habitations; and *so have we as just cause, for our own surety and our country, to join with the said states, and their countries, to preserve them so in their liberties, as the Spaniards, intending to conquer them, shall not also prosecute their intentions to conquer England.*"

Upon these grounds the English commissioners were to insist, by way of assurance to the States, principally upon these points: — 1. That they may be allowed to continue in arms, and a truce for a number of years be accorded. 2. That the people of the United Provinces may be governed as they now are, by the natural officers of every province. 3. That all strange soldiers be sent away from the low countries. But, "Now," said Burleigh, "you may say that as by the former demands you have dealt specially for the States, so should you commit a great error if you should not specially require some necessary things for your sovereign. And for that purpose you shall require that no impediment be offered us by the king or his ministers; but that we may retain possession of the two towns of Flushing and Brill, according to such covenants as are made between us and the States. Secondly, that if the States shall, for their defence, have need to be supported with any number of English soldiers, that it may be lawful for them to *wage* * every convenient number of English without charge of breach of covenant contained in our peace with Spain."

Sir Robert Cecil landed at Deippe on the 18th of February, 1597–8. † He proceeded without delay to Paris, having written to the king that he could not begin the conference without first speaking to his majesty. ‡ Of the expected ministers from the States, the

* i. e. to maintain and pay.

† Birch, Neg. 97.

‡ ib. Cecil also wrote to his father on the 26th of February:— "I have met here with the prince, president of Rouen, a man of great credit and reputation, one that till mere necessity did force him, kept much hold here for this king; he afterwards retired and kept the parliament at Caen. He is learned, grave, of good person, good discourse, and well affectionate to England. His name is Claude Grollart." "He did visit me with great

commissioners heard nothing; and, believing their delay to arise from "voluntary slackness," they proposed, after seeing what language the king should hold, to go back to England, "whereby the affairs might still be kept in dispute, which will be no loss to the queen to win time; and the scandal of unwillingness to treat (if faith be meant by the Spanish king) may yet be taken from her majesty, and laid upon them, who having made their sweet of other's sour, are fittest for the obliquity of practical and private partiality."*

Cecil was very well received by Henry, of whom he had audience on the 21st of March. He told the king that Elizabeth had sent him "to communicate unto him her secret and princely thoughts, whensoever it should please him to discover his own disposition and judgment of this project of a general treaty, whereunto she had been so much invited by M. de Maise's propositions; but, nevertheless, that she was so far from belief of any good meaning in the contrary party, as she still thought fit to defer all resolutions until she had fetched her true light from himself, who could best tell how great a stranger she was to this cause."†

Henry answered by general declarations of attachment. But he told Cecil plainly, "that unless her majesty did make the war of another fashion, and follow it with a more constant resolution, the greater purse must overspread the less." To this reproval as to the manner of co-operating in the war, Cecil answered by accusing Henry of wishing the whole exertion to be

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respect; and fell into familiar discourse with me of your lordship, whom he had known in England many years since, and hath had correspondence with your lordship, by letters, in Mr. Secretary Walsingham's time. And being talking thereof, he desired me to tell your lordship by occasion, that when these troubles were like to grow by the league, you writ him a letter of advice, *to stick fast to the king*, and not to be doubtful, though he saw difficulties; for you did hold it for a true oracle, that the kings on earth are like the sun; and that such as do seek to usurp, are like falling stars: for the sun, although it be eclipsed and offuscated with mists and clouds, at length they are dispersed, where the others are but figures of stars in the eye's view, and prove no more but exhalations, which suddenly dissolve and fall to the earth, where they are consumed." Cabala, 123.

* 8th of March. p. 101. † p. 108.

made in France, without reference to the interests of England, as affected by the maritime force of Spain. Henry had no disposition to come to close quarters; he entertained Cecil for an hour and a half with many pleasant and familiar discourses of his opinion of divers of his subjects, sent him to amuse himself with his sister * and her ladies, and appointed another day for hearing him at length.

In this second audience Cecil professed to consider the intention to treat separately as a calumny, pressed for information as to the extent of the offers of Spain, the necessity of taking care of the States.

Henry heard all this with great attention, and answered, first, that "he was glad that Cecil was not a Venetian †; and that he loved to negotiate with the earl of Essex, for he did leave circumstances so as he saw he served a wise prince.—Rhetoric was for pedants." He said that Spain had offered every thing but Calais, and they must necessarily be desirous of peace with England, to avoid attacks upon their marine; and he threw out the idea of more active co-operation in the war. "Well," saith he, "it is a strange message, when a man is in need and lacks help, to hear of others' lacks, and former helps. If the queen will propound her mind, what war she would have to be made," saith he, "I will urge nothing but upon good consent; and because you told me yesterday that I never liked any thing but my own ways, I say this. If my plots be not allowed good, let the queen of England, if she be alienated from a peace, set down the way of a safe war in which the Spaniard may be beaten indeed; and then will I be found reasonable. But to lose myself and my kingdom, to be mutinied against by my people, it is hard for me to be put to it." ‡

Cecil greatly discouraged Henry's suggestion of an

* Catherine, afterwards wife of Henry II., duke of Lorraine. She was a zealous protestant, and resisted all the attempts of her husband to convert her. Les Dates, xiii. 417.

† A writer in the Gentleman's Magazine (n. s. viii. 235.) supposes that Henry alluded to the long-winded and theoretical harrangues in which Venetian negotiators indulged.

‡ Birch. Negotiations, 119.

enlarged co-operation in the war. "To deliver," he said, "the queen's mind for a war was not the ground of our commission; we being sent to see the bottom of the likelihood or safety of a treaty." The king did not conceal his suspicion, well enough grounded, that Elizabeth only sought "to win time."

In this audience, and in subsequent conferences with the French ministers *, Cecil pressed for a consideration of the security of the United Provinces; but he did not absolutely repudiate the notion of a separate treaty, so as it might be consistent with that object; and he laid great stress, especially in his conference with the deputies of the States, upon Elizabeth's determination to ged rid of the enormous and disproportionate charge of the war. "If for their cause," he said, "the war be continued, they must think to bear the greater share of the burden."

Notwithstanding the friendliness of Henry's language, he had in truth made up his mind to disregard both England and the States. This appeared not only from the very strong expressions which he used in describing his own necessities, but in a dispatch from the cardinal of Austria † to the king of Spain, which an accident had thrown into the hands of the English government, and which Cecil read to Henry himself.

This information might have brought matters speedily to a point. There was no room for complicated negotiation; above all things, as the matter strikes me, there was no advantage in delay. The honour and interests of England required an immediate answer to the demand, which she was justified in making peremptorily, as to the intentions of the French king; and this the queen saw. After she had received intelligence of what was going on at Vervins, she issued fresh instructions to her commissioners. In these (which have not been published before) she acknowledged that she "had more cause to deal openly and roundly than she thought she

* Birch. Neg. p. 125.

† p. 140. Albert, governor of the Netherlands, son of the emperor Maximilian.

should have had." Yet Elizabeth could not entirely cast off her love of mystification. She enjoined Cecil and his colleague "to deal with the king in formality and generality;" and it was not until after they had temporised as long as they conveniently could, that they were to ask of the king the simple question, whether he was or was not negotiating with Spain for a separate peace, without special provision for England and the States. Upon receiving an unsatisfactory answer, they were to enumerate the financial as well as political succour, which Henry had received from the queen, and to reproach him severely for his breach of faith. *

Henry did not appear absolutely bent upon peace, provided that Elizabeth would take a greater share in the war. "Will the queen," he asked†, "join with me to make peace or war with Spain, now power ‡ is come? Or will she assist me in such sort, as may be for our safety and common profit? You speak nothing directly to me. If she would make me a good offer, she should see whether I were so tied, that I would not break the treaty." The representatives of Elizabeth did not give a very precise answer to this appeal, by which they were "driven to the wall." This is the expression of the English commissioners, used in the official report §, wherein they lay before the queen their plans "for *winning time*, so as to allow of her taking some good resolution, if she should find it fit, to disorder the present facility of the French king's peace, which, being once disjointed, will not so easily be set together. Your majesty will see that the States will do as much in it to ease you as can be found reasonable, rather than that your majesty should leave them." ||

The commissioners' account of their final audience ¶ of Henry is curious, and recapitulates well the argu-

* Elizabeth to the commissioners, 17th of March, 1597. Cotton Calig. E ix. p. 435.
† p. 147.
‡ That is, power to the Spanish ministers to treat.
§ Nantes, April the 5th, 1598. Neg. p. 149.
|| p. 151
¶ Nantes, April the 10th, 1598. Birch's Memoirs, ii. 374.

ments on either side. "It was now time," said Cecil, who began the conference with little preface, "to show the effects of that faith which he had sworn to her whose merits were neither small nor unknown; and, to the intent, that he might see that she would leave him no ground of jealousy, I desired him to resolve me clearly whether he did desire peace or war, which he should do no sooner than I would open to him her majesty's purpose to either way." To this plain question, Henry returned a plain answer:— "He was sorry to find himself in this extremity, that either he must ruin himself, or offend the queen. But he must plainly tell us, that his necessities were such as that he could not stand out."

There were now some mutual accusations as to failures of exertion. Henry reproached the English ministers with delay in answering his requisitions. They said "they would have been ready to succour him in the siege of Blavet, when their ships had refitted after the Spanish expeditions." "Well," said Henry, who seemed disposed to come to a point, "it is now past, and I am like a man clothed in velvet, who has not meat to put in his mouth. Your coming had been welcome; but your long stay, and the estates lingering, have drawn on the time so far, as I am in extremity. I hope the queen will not look that I should undo myself, for that would be no pleasure to her." The commissioners pressed him hard upon his breach of treaty, and so stoutly contradicted him when he said that the English succours were neither timely nor sufficient, that he at last acknowledged that "they were brave troops indeed, and his necessities only made him break all promises." "We told him we would fain know in what manner to deal with him; for, although we had no power presently to offer him satisfaction in particular, if he would leave the treaty, seeing the States could not be comprised, yet we would assure him that the queen would aid them; and therefore desired him to speak plainly what numbers he would have, and to what end. For if the design was fit and good for all parties, as we knew the States

would aid him, so when her majesty should understand it, we were sure that the queen would also strain herself upon any reasonable probability to accommodate him." Henry adverted to the queen's desire of Calais; but it was in vain to think of that now. "He might lose an army before it, and when he had it, he should have no more than he should have by peace." "We told him it was in vain, as now we saw things to dispute of any thing but his peace; we would therefore proceed with him in that point." He said, "it was the best."—"Then we asked him, how he would dispense with leaving out the States, either in honour or safety." To this pinching question, Henry answered, "he had told them his mind, for *necessity had no law;* they might defend themselves awhile well enough, while their friends reposed." But he then questioned Elizabeth's ministers, with almost equal advantage: "What will you treat, or can you, or have you any commission? It hath been otherwise a strange legation, and must confirm that which the world says, that the queen means no peace herself, but to keep me in war." After a little sparring, produced by this remark, the commissioners owned that they had no power to treat of particulars. "His majesty had thus far opened himself, that no war must be made, and that he would leave the States; her majesty being informed of it, he should hear what she would answer. 'Oh, but,' said the king, 'I cannot tarry it.' With that, I, the secretary, said, 'Sir, why then, I beseech you, let us have our passports, if that be the point; for if her majesty's benefits passed, and your honour only ties you to respect yourself, the queen knows what to expect hereafter.'

"He was with that, and many former contestations of ours, much chafed; and said unto me, that he had not used me like an ordinary ambassador, to dispute thus freely and particularly.—I answered, that I took myself to be sent from a prince that ought to be extraordinarily respected; and, if without arrogancy I might speak it, I might take myself, considering my

place for no common ordinary ambassador. — He said it was true, and so slubbered up some speeches of kindness again. — From thence, I told him of his letter last written, and how far it was short of his speech delivered to us both together. — He said, for that point, I was too curious: he would not be tempted to write; he had said enough to us both of all that, and had good reason to write no more. — I answered him, that if any body had told him that I desired to appoint the style, he did me wrong, for that I was not so ill-bred to do it; and yet I had not kneeled at the foot of such a prince as my sovereign seven years, but I could guess what letters usually passed between princes when they meant to give satisfaction, and what in other letters."

"'Well,' saith he, 'as much as I do mean to commit to a letter's peril, my letter carries. If the queen trust you not, why did she send you?' We answered that it became us to get as much satisfaction as we could from himself, finding that her majesty had so much cause of doubt; and that we must be content, since his majesty was so resolved: but if he would have me to expound his letter more effectual than it was, I must crave pardon, and that I did contest chiefly that with his ministers, that by his letter the king did disavow nothing, but that he had not given them commandments to sign anything; whereas, in speech, he both disavowed the having given them warrant to promise it, as well as not to do it. 'Well,' said he, 'I said enough for that matter; and where you presume with benefits past, the world will say the queen did herself no harm in it, and shall find me her faithful and kind brother to the uttermost of her life.' I answered, 'that however partial men might construe her majesty's help of him to be out of her own respect, sure I was that, if her majesty had had a purpose to have served herself of the time, and his necessities, she might have served her turn upon France, when it was in so many cantons, with the same charge that she had been at with him.' And for my part, I did humbly beseech

him to pardon me, though for that I had no warrant as ambassador to speak it from the queen, yet, seeing France did so partially regard itself, as whensoever, by the help of others, it was made able to recover good conditions of the enemy, they must presently be taken without other respect of his allies, or giving liberty to such a prince as mine was to be informed, or to understand and advise what way to take for himself — 'that I would pray to God that England might never have more need of France, though I would ever think reverently of his majesty, hoping that he would be more * respectful, than to lose so good a reputation, and the hearts of so many, by doing so great an injury to her who never had failed him; who, notwithstanding that she had showed herself to be contented at his entreaty to hearken unto an enemy, yet she would let the world see that she disdained to seek peace by any man's means in Europe; and that I durst avow it, she was resolved at this time, as much as ever, to maintain her honour against her enemy, howsoever her friends should use her.' 'Well,' said he, '*Ie combattrai contre vous . . . . . querelles* †, we will advise further; and I will appoint the best of my council, whereof Villeroy shall be one, to speak further with you; and then we will grow to some further resolution; for I would be as loth to discontent my sister as anybody.' "

Henry, however, though not insensible to the danger to which his Dutch allies might be exposed, was resolved upon peace, and determined to counteract the attempts of the English to prevent it.‡ The treaty of Vervins, between France and Spain, was concluded on the 2d of May, 1598.§

A question then arose in Elizabeth's council, whether

* Considerate, regardful of proprieties. † Sic.

‡ See his letters to his ministers, 4th of April, and 1st of May, 1598. Birch, Neg. 157. 165.

§ Dumont, v. fol. 1. p. 361. Sismondi speaks of this treaty, as the abandonment of a powerful ally; and says, "that though Henry and his ministers pretended to have saved their honour, the ambassadors did not regard the matter in the same light, and their language was very severe." xxi. 477.

to continue the war with Spain. Essex was for war; the Cecils for peace.* The result was, the mission of sir Francis Vere, to ascertain whether the States were inclined to peace; or, if not, to press them to reimburse to England, the money which she had advanced.† The States resolved upon continuing the war, and communicated this resolution by an embassy to England.

Although the ministers of Elizabeth did not imitate the French government, in making peace with Spain, they exacted from the Dutch a more adequate compensation for the succours afforded to them. A treaty was negotiated with the States, whereby the engagement to assist the United Provinces was renewed; but new and more stringent stipulations were required, for the repayment of the pecuniary advances of England, and the maintenance of her troops. This treaty was not concluded until after the death of Burleigh, which occurred on the 4th of August, 1598. Camden styles it a striking instance of the prudent foresight of the elder Cecil‡, and ascribes the merit of it, after him, to sir Thomas Bodley, and to George Gilpin, who succeeded Bodley in the council of the States.

Robert Cecil, it would appear, had no particular share in this treaty; but he now became the principal minister of Elizabeth, and made no change in her foreign policy.

His first measure was, to insist upon a rigid neutrality on the part of France. Elizabeth had at first issued a proclamation, declaring, out of respect for the French king, "that no ship carrying a French flag should be molested." But when the preparations became great and suspicious, that king was required to forbid his subjects to carry even corn (not generally a contraband article) to Spain. Henry denied our right to enforce this prohibition; he, nevertheless, undertook to enforce it for a time.§

* Camden, in Kennet, ii. 606., and Southey, iv. 98.
† Birch, Neg. 167.
‡ Hume, v. 303.
§ Winwood, i. 19.; and see 56. and 92.

This strong measure, in a case of necessity, was accompanied by a judicious forbearance to remonstrate against unfruitful symptoms of hostility. When informed by sir Henry Neville*, of suggestions made by the Spanish party in the French court for assisting Spain, Cecil told him rather to take notice of the good dispositions, and to improve the affections to our best advantage, than to take knowledge of adverse humours, and so exasperate those that had little need to care for us.†

It was by the special command, and according to the well known policy of the queen, that the ambassador was charged above all things, to induce the French king to repay the money which had been advanced to him. On the other hand, when there was a prevalent rumour, even though he greatly doubted its correctness, of an intended invasion from Spain, Cecil incurred, although with avowed reluctance, the expense of an armament. "I have given ways" he says, "to these preparations that are made, preferring therein the ways of safety to any matter of charge.‡ Instead, however, of an attack, there came a proposal for peace.§ The states were unwilling to enter into a treaty, but seeing that Elizabeth intended it, "in respect of her own estate, they left it to her wisdom to do what should please her." The queen determined to proceed alone. ||

A negotiation for a separate peace with Spain, and with the archduke of Austria, was opened at Boulogne, in the month of May, 1600. ¶ Philip III. claimed for

* Sir Henry Neville, ancestor to the respectable family of Neville, of Billingbear, Berkshire, and son of sir H. Neville, of that place, by Elizabeth, daughter and heir of sir John Gresham. He owed his introduction at court to a family connection with secretary Cecil; and his promotion there, perhaps yet more to his own merit, for he was a person of great wisdom and integrity. Lodge's Illustration, iii. 123. An injunction given about this time to this ambassador, is characteristic of Elizabeth: — "Her majesty wishes me to note to you this one observation, that whatsoever you spend needlessly, after the English fashion, the French will laugh you to scorn for it, and she will never thank you: for there never came French ambassador hither, but served their master as well with frugality, as any of hers have served her with prodigality."—Winwood, i. 19.

† August 28. 1599. p. 95.

‡ August 17. p. 90.

§ October 8. 1599. p. 118.

|| December 7. 1599. p. 137.

¶ P. 186.

his ambassadors the precedence over those of England, alleging, amongst other grounds of claim, that he was descended from the ancient kings of the Goths. Cecil and the rest of Elizabeth's counsellors observed, that the queen of England might as well say that she was lineally descended from the ancient kings of the Britons.* She was resolved "as soon to keep her sword drawn for maintenance of her honour, as for her possessions."† She offered equality, and some expedients were suggested for removing difficulties; but when the Spanish commissioners delayed their answer, the English commissioners were instructed, that if at the end of a week, they had not such directions as might reconcile the point of precedency, so as that the English might proceed without any note of dishonour to the queen, they should forthwith return. The Spaniards still insisted upon the superiority, and after a little more discussion, this negotiation came to an end‡, certainly without any lowering of the tone of English diplomacy by Cecil. Attempts were subsequently made, without effect, to induce Henry IV. to renew the war.§

Lord Burleigh was succeeded as treasurer by lord Buckhurst; but Robert Cecil remained sole secretary of state, and was during the few remaining years of Elizabeth's reign, her principal minister. Robert also, resigning his office in the duchy of Lancaster, succeeded his father as master of the wards. It has been said that the disposal of an office makes many discontented, and one ungrateful; the favoured and envied Cecil did not estimate the boon at the value ascribed to it by him to whom it was denied; ". . . . . myself," he writes, "master of the wards, but so restrained by new orders, as in the office I am a ward myself. But seeing it has been my father's place, and that her majesty has bestowed it upon me, I will undergo it with as much

* See Winwood, p. 204. † Ib.
‡ Ib. 215. 219. 223. 225.
§ March, 1601-2. p. 395.

integrity as I can ; and yet I vow to you, I have resigned a better place of the duchy for it."*

Essex on the other hand was discontented because he did not get this office. This adventurous nobleman had, since we last heard of him, met with various vicissitudes of favour and fortune; in the course of which he had been actually struck by Elizabeth, as all the world knows.

Cecil had been present, as well as the lord admiral Howard, and Windebank, when the memorable box on the ear was given by the queen to her favourite† ; for that *coup d'état* he assuredly is not responsible, but it appears to me that other misfortunes, which Essex brought upon himself by his own waywardness, have been imputed to Cecil, without more of truth or justice.

That Cecil should be jealous of Essex was unavoidable. It might almost be said that this jealousy was a duty. The earl had obtained influence with the queen, more by personal accomplishments than by public service; and he desired to use this influence, in questions of peace and war, in a way which Cecil thought hurtful to the public service. He is not worthy of blame for any means which he took of counteracting this influence, provided those means were open, and without deceit.

Early in 1599, Essex was appointed to the government of Ireland.‡ Camden ascribes this appointment, in part, to the desire of his enemies to place him in an office for which he was unfit; and Hume § and others have named Robert Cecil as one of those who promoted the nomination of Essex, in order that his absence from England might weaken the queen's partiality for his person, and his imprudence destroy her confidence in his abilities.— For all this, there is nothing but surmise. I am much inclined to believe that Cecil was on this, and probably other occasions on which intrigue has been

* Cecil to Neville, May 23. 1599. Winwood, i. 41.

† June, 1598. So soon afterwards, as in October, Cecil wrote to sir Thomas Edmonds, that "such small misunderstandings as had been between the queen and lord Essex, were now made up." — Birch Neg. p. 183.

‡ Southey, p. 99.

§ V. 404. ; and see Osborne's Traditional Memoirs, in Sec. Hist. i. 202.

imputed to him, the passive executor of the pleasure of Elizabeth.

A contemporary, who, though it must be admitted he could know nothing but from hearsay, had certainly no prejudice in favour of Cecil*, tells us that Essex had during his abode in Ireland, written letters to the queen, full of malice towards Cecil†, and that these were seen by the secretary; and that upon the return of the lord deputy from Ireland, the unkindness between the two statesmen grew to an extremity, being much exasperated by the violent and imprudent speeches in which Essex indulged.

According to the same authority, an attempt was made ‡ to effect a reconciliation between them. But Cecil was unwilling to it, "because there was no consancy in Essex's love." Essex whose estate was dilapidated, would be a suitor to the queen for assistance, and if unsuccessful would be jealous of Cecil; who avowed that he would not assist him, though he would bear no malice against him.

Essex was still a favourite with the people; and the walls of London were covered with libels upon Cecil, for his behaviour to his rival. Cecil apparently took no pains to acquire popularity, or to disabuse the public of his ill usage of the favourite; but the same unsuspected, though not authoritative information assures us, that "the secretary soon won sincere love and honour by his behaviour." It was found that he had done his rival "all good and honourable offices with the queen; that he had not been so adverse to the earl as was supposed;

* Rowland Whyte, who thought that Cecil had been unfavourable to the applications which his master, sir Henry Sidney, had made to the queen. See his letters in the Sidney Papers, ii. 122, 123. 133. 135. 153. 156. 167. 200. 212.

† I am not acquainted with any letter in which Cecil is distinctly named; but the following is an extract from one of Essex's letters, in Moryson's Itinerary:—"Is it not spoke in the army, that your majesty's favour is diverted from me, and that already you do bode ill, both to me and it? Is it not lamented of your faithfullest subjects, both there and here, that a *Cobham*, or a *Ralegh*, *(I will forbear others for their places' sake,)* should have such credit and favour with your majesty, when they wish the ill success of your majesty's most important action, the decay of your greatest strength, and the destruction of your faithfullest servants?"—Southey, p. 116.

‡ By somebody, who, in Whyte's Cypher is designated as "300 brother."

that it was her majesty that was wounded by the contemptuous courses of Essex, who was not easy to be satisfied; . . . . . when it came to the point, none did deal more truly and honourably with the earl."*

Rowland Whyte's statements are in great part confirmed by the more authentic accounts which we have of the proceedings in the star-chamber, which appear to have been public, or at least, had in the presence of "divers of the nobility and gentry."* The public vindication indeed of the queen's conduct, was the special and avowed object of the proceeding. With this view, the several ministers set forth the exertions which the queen had made for the suppression of Tyrone's rebellion, and the injudicious conduct of Essex, as well in the management of the war as in the terms of peace. Cecil dwelt also upon the queen's general policy towards Ireland, which, until the rebellion, called for stronger measures, had been mild and conciliatory. When she determined to suppress that rebellion, it was agreed in council, with the concurrence of Essex, that 16,000 foot, and 1300 horse, should be employed. But, "although the earl of Essex carried on the flower of her majesty's army in all places without disreputation, where his person was present, yet since this summer's action, her forces had both under sir Henry Harrington ‡ when the numbers were equal, and under sir Conyers Clifford§, when her majesty was far superior, received greater disasters than ever the troops did upon like terms in that kingdom. And for the rest of the army, though it did not perish by the sword, yet it dissolved so fast by other accidents, as when it was expected that Ulster should have been assailed, neither the province nor the provincial rebel could be for any purpose attempted. But only after a parley (wherein the traitor stood upon

* See Sidney Papers, 14th and 16th of February, 1599. ii. 167.

† 28th of November, 1599. Camden, p. 617. It is very possible that Camden himself was present. His account of Cecil's speech, is a faithful though incomplete abstract of the speech as I found it in the Museum. Harl. 6854. p. 249.

‡ Southey, p. 117, 118.

§ Ib. p. 122.

equal terms), a cessation was agreed on, first determinable at his pleasure, upon fourteen days' warning, and then the lord lieutenant instantly came over, directly contrary to her majesty's absolute commandment, signified under her own hand. Of this so great contempt in his lordship towards her majesty, his sovereign lady, I intend particularly to deliver divers substantial circumstances, whereof the world as yet has not taken perfect notice; and therefore, I will pass over many more things, saving only a report posted under hand from man to man: it is shortly this, that notwithstanding the earl of Essex had in show a large commission under the great seal of England, whereby he had power and authority to make war or peace as he thought good, yet his own resolutions were altered by private despatches from hence, and that his journey into Munster which he took, was only carried on by the advice of that council in Ireland.

"In the first I would never ask any other testimony than his lordship's honour (which I know he will not falsify), or the perusal of his own letters (which contain continual apologies for his proceedings there), contrary to the which himself originally projected and advised, and which her majesty, from the beginning to the ending, both wholly and only commanded.

"In the second, that his lordship was swayed by the council there to alter his own determination; I must leave that between God and both parties, for, as all my lords that sit in this place do know as well as I, what the council from thence have all avowed, under their own hands, that they did never like nor advise any such course, and that they are fully persuaded that his lordship will clear them, in his own honour, from any such imputation. It remaineth therefore now, that I speak something of the contents of that letter, whereby his lordship was forbidden to return; because it is suggested that howsoever her majesty did lately countermand him with a letter, since his going over, that he had a former warrant under the great seal of England, for all his

actions. You shall understand that when his lordship was to leave England, he made his humble suit that her majesty should grant him liberty for his return, if he should find cause for the good of her majesty's service: to this request, out of her favour and trust, she assented, and gave him a warrant so to do, signed with her own hand,—a matter which she thought little to have found any cause to suspend, until his own letters represented such an image of a desperate state of that kingdom, as there appeared a great necessity to consider what form of government was fit to be established; because it could not be but that the sudden absence of his person would leave things in a further confusion: and therefore to prevent the disadvantage of a mixed government, she began to consider of some nobleman to succeed him, and so did write to him a letter to the effect following: — That having seen lately by all his despatches, to what terms her affairs were brought, and being not as yet fully resolved whom to choose for her governor in his absence, it was her pleasure that he should first particularly advertise her to what final conclusion he had made in the north; after which she assured him, he should presently receive her warrant to come over, without which, she charged him upon his duty and allegiance not to presume to return for any respect, nor to adventure to take any benefit of any former liberty at his peril; whereto I must add this one circumstance, because my conscience tells me I say truth, that I did find so grievous a disposition in her at the writing of this letter, in no sort to continue him long in that moist and unseasonable climate, as I assure you all upon the credit of an honest man, that I am fully assured, if he had but written once again that he was desirous to deliver any thing by himself which was not fit for his paper, he should have received a warrant for his return within twenty days after."

Adverting to its having been said that Ireland had been put in greater peril by the rejection of the proposals from Tyrone, which Essex brought with him, —

"Fain would I be silent in this point for some respects, but my duty presseth me to the contrary; for all my lords that sit here do know as well as I, that my lord himself delivered to them all, that as the parley with Tyrone, the traitor vaunted of his strength, and insulted on the weakness of the queen's army, not sticking to brag at the parley to himself, that at that time he was five to one of her majesty's forces." . . . . He asked whether in this mood, Tyrone would have accepted terms which he had rejected when he was less powerful, and he stated his present demands:—"1. He would not receive mercy upon any conditions, unless all the rebels in Ireland might come under his capitulation. 2. He required that all lands should be restored which were held by any from the English; articles whereby her majesty must first admit that rebel to be prolocutor, and then protector of all Ireland; and next must consent to the ruin of her poor subjects, that either have been placed by her majesty, or the queen her sister. 3. To bind up all his pack the surer, this barbarous traitor pretended to be very resolute to have freedom of conscience granted (a point very needless for him to insist upon, were it true that he had any more religion than his horse), for as his drift was only for to value himself better by his pretext with her majesty's enemies, so it is known to all that understand Ireland, that there was never black said to his eye for any matter of conscience, and neither are the laws there in the same force for harbouring of priests, as they are in England: neither have the governors there used any such security for it, as it may easily appear, when it has been seen and known of long time, that mass and popish trumpery is common in every corporate city in that kingdom,—a matter wherewith though her majesty has been grieved in the piety of her own religious heart, yet such has been her majesty's moderation in matters of conscience, that she had ever this disposition, rather to recommend the accommodation thereof by her prayers to God's divine providence, than to use any sudden or violent compulsion to those poor

and ignorant people. This being now enough, if not too much, to describe the success of that royal army in eight months' space, to show the loss of her majesty's people, the dishonour cast on our nation, the diminution of her majesty's greatness, always held in so great admiration in foreign parts, besides the addition to the rebels' insolency, when they had found so much of their own strength in their many encounters, you may easily see what followed: his lordship's return before his restraint could either be known or thought of; for when his lordship arrived at court, the 28th of September, and that captain Warren was gone to Tyrone, by my lord's former directions, to receive his answer to certain articles committed to his delivery (their meeting following to be the 29th of the same month), the arch-traitor was so swollen with rancour and glory, that he could not contain himself from these insolent words to Warren—"that he did not doubt that he should hear within two months of a greater alteration in England than ever was, and that he himself did not doubt to show his face here, and possess a good share in this kingdom. How this speech on Michaelmas day could be received from his lordship's disgrace in court on Michaelmas eve, unless some good or evil angel could fly with the news from Nonsuch into Ulster, within twenty-four hours, my poor genius cannot comprehend; neither can I see how we, that are her majesty's humble servants, can do less than now we have done, to free her actions from all unjust imputation, who by her gracious justice and prudent government, hath won hitherto so great fame, and so high commendation."

This was the speech of a minister, under whose administration an enterprise, both military and political in its character had failed. Essex was the commander (having also a political authority), to whose hands the enterprise had been entrusted. Could the minister have been expected to take the whole blame upon the government, and, speaking of 1600, I may say upon the queen,—in a case too, in which the faults of the general's con-

duct were palpable? Let Cecil's speech be read with these considerations in the mind, and it will be found altogether blameless.

Although Cecil was now believed by contemporaries to exercise in favour of Essex, his increasing influence* with the queen, her inherited severity was not to be assuaged.

After a pause of more than six months, Essex was brought before a tribunal specially constituted for his trial. Cecil was a member of this court, which included several ministers, five of the judges, and several peers and others not in office.† I have not Cecil's speech on this occasion; but from Moryson's representation, it appears to have been in the same strain with the former. He insisted much upon the justification of her majesty's wisdom in managing the whole business, as much as lay in her, and laid the entire fault of the ill success in Ireland upon the earl's ominous journey, as he termed it, into Munster. He gave the earl, however, his right always, and spared more courtesy to him than any other; and Essex was so well satisfied with the secretary's mode of treating his case, and so contented with the opinion of loyalty freely reserved to him, that he would not avail himself

* "Mr. Secretary has bestowed many a great new year's gift this year in court. Her majesty's favour increases towards him, so careful he is of her business and service; and indeed the whole weight of the state lies upon him. Some say he doth all good offices towards the earl; but her majesty's indignation cannot be removed. I hear that her majesty has bestowed upon his son, a gallant fair boy, a coat, girdle, and dagger, hat and feather, and a jewel to wear in it; and here he must be to-morrow." (R. Whyte, 5th of January, 1599—1600. Sidney Papers, ii. 156.) "Mr. Herbert was commanded to go with the rest of the lords to the council chamber, to be sworn a privy counsellor, and her majesty's second secretary, 'for,' said she, turning to Mr. Secretary Cecil, 'this man shall be my only principal secretary;' so he had the oath given unto him of a counsellor, and as second secretary, which bars him of much power due to a principal secretary; for it is doubted that his warrants for money matters will be of no force to the treasurer of the chamber, which office depends upon the principal secretary's warrants. I truly understand that Mr Secretary only, is the procurer of this honour done unto him." (May 12. 1600. ii. 194.) The distinction between Cecil and Herbert, is made in the queen's ecclesiastical commission of February 3d, 1600. Cecil is styled "*right* trusty and well-beloved counsellor—our *principal* secretary of state." Herbert is put after the chancellor of exchequer, and the chief justice of England (whom Cecil precedes), without the emphatic words which I have put in italics. (Rymer, xvi. 400.; and see Nicolas on the Office of Secretary of State, p. 41.)

† Birch, ii. 452.

of the permission which Cecil gave him, to interrupt him while he was making his statement. On one point of considerable importance, Essex was acquitted upon the testimony of Cecil.

This point may surprise some of my readers, accustomed to the tolerance of the present age. The fourth charge against the earl was his conference with Tyrone; the attorney-general Coke, had imputed to Essex a negotiation with that arch-rebel, not only for the pardon of Tyrone and his adherents, but for the "public toleration of an idolatrous religion.* ... The secretary cleared the earl in this respect, that he had never yielded to Tyrone that scandalous condition.†

The sentence pronounced by the court forbad him to exercise his functions "as a privy councillor, earl marshal, or master of the ordnance, and ordered him to return to his own house, there to continue a prisoner as before, until it should please her majesty to release this and all the rest."

For the times, this was a mild sentence, especially as the concluding words of it contained, in effect, a strong recommendation to mercy. It does not appear, nor do I believe, that Cecil had a greater share in this sentence than any other of the commissioners; it surely affords no evidence of a vindictive spirit. The queen, probably, would not have been contented with a milder sentence, for she would have even unmade the knights whom Essex had made in Ireland, if the more considerate judgment of Cecil had not dissuaded her from this harsh method of expressing her displeasure.‡ The kindness of Cecil was shown without intermission, until Essex was set at liberty.§

It does not belong to me to narrate in this place the

* Birch, 449.

† I give this as I find it, although I cannot well reconcile it with Cecil's speech in the star-chamber (see p. 56-7. *ante*), in which he sets forth the tolerant spirit of the queen's government in Ireland. Moryson's statement, however, clearly shows that Cecil acted fairly, I may say favourably, towards Essex.

‡ Sidney Papers, ii. 204.

§ August, 1600. p. 197. 212. 213.

extraordinary proceedings * which led to the trial of Essex before his peers, and his consequent execution. As secretary of state, Robert Cecil took part in the arrangement of evidence for the trial; there is nothing to show that this was done with any unfairness towards Essex.† But a paper in the Museum, which has never been published, purporting to be a speech delivered by sir Robert Cecil, in the star-chamber, on the 13th of February, 1600‡, shows that he did not at this time disguise his opinion of the treasonable character of Essex's proceedings, not only in the outbreak in the city, but in his dealings with Tyrone. He spoke now of "the bloody hand of that most treacherous and popular traitor Essex, who, for the space of these six years, has greedily thirsted to be king of England, and to have left the queen's sacred person in the place of confusion with R2.§ His plotting with Tyrone, that arch-traitor, was wrought by letters sent by Blount, his chief counsellor, in those actions wherein there was a secret conspiracy with Tyrone, of their desired subversion of the state of England; and that the traitor Essex's coming into England was to no other end, but hoping, after a month's stay with the queen, to achieve some of his deceitful and flattering practices with her highness, and so to have on his return, met and received Tyrone with 8000 men, who should also, with his whole power of Irish rebels, have invaded this realm of England.

"His great object was to gain popularity by promising advancement, by a show of religion, by procuring to the papists liberty of conscience, and by great affability and courtesy."

* See Southey, 175.

† Mr. Jardine, in his Criminal Trials (i. 342., to which publication, as more recent, I refer, even in preference to Howel's State Trials), says, "that in these times, the statements of witnesses were discharged of all suspicious matter before they were proved in court;" and gives a letter from Cecil to Coke, relating to the evidence of sir Christopher Blunt, to which, as I am, equally with Mr. Jardine, unable to explain it, I merely thus refer.

‡ 1600-1. Harleian, 6854. p. 253.

§ I don't understand this.

Another charge consisted in the employment of papists, and the dedication of Persons's book on the succession to the throne of England, in which Essex was addressed as "highness," was adduced as a further instance of a treacherous disposition; though, after fourteen da , he laid the book before the archbishop with a view to its being suppressed. "What shall I say? Is it possible, that · whom her majesty has so tenderly brough up under the shadow of her own wings, that her highness graced with so many princely advancements; as first, at twenty-two years of age, to make him master of the horse, president of her majesty's council, earl marshal of England, and lastly, gave him 300,000*l*.

"I say, could it be possible to any Christian heart, that this man should become such a monster, as this unnatural and savage kind of rebellion has laid open to the world? Has this arch-rebel Essex had such audacious adherents that would not tremble to lay violent hands on her majesty's sacred person? to imprison her majesty's council, threatening the murdering of them; and scornfully bidden, cast the great seal of Engl. l (which is the kee of this land,) out of the window; to kill her majesty's judges in the seat of justice, t nterprise the taking of the Tower of London, and sc to have again delivered those traitors therein, to the utter subversion of this kingdom? Well, I am amazed at the remembrance hereof. But the due and reverend regard I have of her majesty's care of all her loving subjects and vassals (whereof I am one,) has made me say so much, which, had I not been pressed to speak upon so sudden advisement, I would have my wits together, for delivery hereof, in some better method."

There is in this speech a violence of language which Cecil seldom used, but there is no misrepresentation.*

* See Essex's treasonable proceedings detailed in Southey, 129. 173., &c.; and see Camden, 640. "The actual treason plotted with Tyrone, was certainly the most criminal of Essex's proceedings; and as it appears, from Cecil's speech, that the government was already conusant of them, I know not why they were omitted in the indictment against Essex."

If Cecil did at this time exhibit feelings very hostile to Essex they were not unprovoked, nor without justification. According to the witnesses who had been examined, one avowed object of Essex in his movement was to revenge himself upon his enemies, Cobham, Cecil, and Ralegh, and the accused said the same on his trial. There is no evidence or even allegation of the unfriendly proceedings on the part of Cecil which provokes this hostility, and the conduct of Essex in this insurrection is really so wild and unaccountable, as to justify us in imputing to him a sort of mental delusion. The cry by which he attempted to raise the Londoners was, that England was sold to Spain, and he affected to believe that Cecil was in a plot for ousting James of the succession in favour of the Infanta. On the trial *, Essex did not attempt to bring evidence in support of this foolish story. "As for that I spake in London, that the crown of England was sold to the Spaniard, I speak it not of myself, for it was told me that Mr. Secretary should say to one of his fellow counsellors that the Infanta's title comparatively was as good in succession as any other." † Cecil was in court, and after some objection from the peers, who reasonably made light of the allegation, obtained liberty to address the prisoner. Such an interruption would now be deemed irregular, but in those days there was often much colloquy between the prisoners, judges, counsel, and even bystanders.

"My lord of Essex," said Cecil, "the difference between you and me is great. For wit, I give you the pre-eminence, you have it abundantly; for nobility also I give you place. I am not noble, yet a gentleman; I am no swordsman,—there also you have the odds: but I have innocence, conscience, truth, and honesty, to defend me against the scandal and sting of slanderous tongues; and in this court I stand as an upright man, and your lordship as a delinquent. I

* 19th of February, 1600-1.
† Jardine, 352.

protest before God I have loved your person, and justified your virtues; and I appeal to God and the queen, that I told her majesty your affections would make you a fit servant for her, attending but a fit time to move her majesty to call you to the court again. And had I not seen your ambitious affections inclined to usurpation, I would have gone on my knees to her majesty to have done you good; but you have a wolf's heart in a sheep's garment, in appearance humble and religious, but in disposition ambitious and aspiring. God be thanked, we now know you, for indeed your religion appears by Blunt, Davis, and Tresham *, your chief counsellors, and by your promising liberty of conscience hereafter. Ah, my lord, were it but your own case, the loss had been the less, but you have drawn a number of noble persons, and gentlemen of birth and quality into your net of rebellion, and their bloods will cry vengeance against you. For my part, I vow to God, I wish my soul had been in heaven, and my body at rest, that this had not been." The bitterness of Essex's feelings towards Cecil appears in his reception of this address. "Ah! Mr. Secretary, I thank God for my humiliation, that you, in the rust of all your bravery, have come hither to make your oration against me this day." "My lord," replied Cecil, perhaps losing his temper, "I humbly thank God, that you did not take me for a fit companion for you, and your humour, for if you had, you would have drawn me to betray my sovereign as you have done others. But I challenge you," he added, reverting to the point to which it would perhaps have been as well that he should have come at once, "I challenge you to name the counsellor to whom I should say those words; name him, if you dare, if you do not name him, it must be believed to be a fiction." Essex hereupon said that his fellow-prisoner Southampton, had heard the imputation as well as he. Cecil then solemnly adjured Southampton to name his

* These gentlemen, or some of them, were Roman catholics.

accuser. Southampton hesitated, and appeared at first to appeal to the court, but he then said to Cecil, "If you say, upon your honour, it will be fit, I will name him;" and at last, upon Cecil's renewed entreaty, he named sir William Knollys, the queen's comptroller. Cecil prayed that Knollys might be sent for, "for I vow," he said, "before the God of heaven, if it will not please her majesty to send him, whereby I may clear myself of this open scandal, I will rather die at her feet, than live to do her any more service in that honourable place wherein her majesty employs me." And he charged the gentleman of the privy chamber, who was sent to obtain the leave of the queen, to make the same declaration as his message to her majesty.

Knollys came, and was asked whether he had heard Cecil use the imputed words. "I never heard him speak any words to that effect; only there was a seditious book written by one Doleman*, which very corruptly disputed the title of the succession, inferring it as lawful to the Infanta of Spain as any other; and Mr. Secretary and I being in talk about the book, Mr. Secretary spake to this effect, 'Is it not a strange impudence in that Doleman, to give as equal right in the succession of the crown to the Infanta of Spain, as any other?' Hereupon was grounded the slander of Mr. Secretary whereof he is as clear as any man here present." This refutation of the ridiculous charge was followed by some conversation between Essex and Cecil, in which the minister traced the enmity of Essex, to their difference about the peace with Spain, which he laboured for the profit and quiet of the country. The rivals, however, now exchanged protestations of forgiveness.

In an account published by authority, of the behaviour and conversation of Essex after his conviction, it is said that he expressed himself ashamed of having brought his hearsay charge against Cecil; but as doubts

* This is father Persons's conference about the next succession to the crown of England.

have been cast upon the credit of this paper*, I do not rely upon it. The declaration would have been creditable to Essex, but is not wanted for the entire acquittal of Cecil. In truth, the charge is refuted by its own absurdity.

In reviewing Cecil's conduct towards Essex, I do not find any ground whatever for the imputation which certain writers have freely cast upon him, of treachery, duplicity, and malignity.† Essex was the artificer of his own ruin, and was legally condemned. If any consideration impeaches the justice of his sentence, it is the extreme folly of his treason; but his offences were undoubtedly treasonable.

The wife of Essex, who was the daughter of secretary Walsingham, and the widow of sir Philip Sidney, solicited the interference of Cecil. Her letter already printed in this collection‡, refers to "the scandal which Cecil conceived had been given to him by her unfortunate husband," but alludes to old favours received from Cecil, and to her experience, which had taught her that Cecil was rather inclined to do good, than to look always to private interest.

When supplicating mercy for a husband, even the widow of sir Philip Sidney might condescend to flattery; still it is not very easy to believe that the writer of this letter addressed one whom she regarded as her

* Jardine, 366. In the account which Cecil gave to Winwood, the queen's minister in France, he affirms that Essex, when in the Tower after conviction, "being urged still to say what he knew or could record, especially of that injurious imputation to me, vowed and protested that in his own conscience, he did freely acquit me from any such matter, and was ashamed to have spoken it, having no better ground." —Winwood, i. 300.

† I refer particularly to the Life of Ralegh, by Patrick Fraser Tytler, esq. whose extravagant and unsupported censure of Robert Cecil, for his conduct towards Essex and Ralegh, was criticised in Fraser's Magazine for July, 1833. vol. viii. p. 1. I think that it is shown in that review, that the charges have not even so much of plausibility as to require any mention of them here. I concur in all the statements in Fraser, with one very slight exception. If the story of Ralegh and the cloak be true, which must have happened before Cecil was twenty years of age, it is perhaps not correct to say (p. 2.) that Ralegh's introduction to court was much later than Cecil's. It should rather have been, participation in court *influence*. While I avow my agreement with the writer of the review, I must express my regret, and I can say confidently that the same is felt by the writer himself, that he should have been led into some of the harsh expressions which are applied there to a gentleman of Mr. Tytler's merit and assiduity.

‡ Southey, p. 201.

husband's enemy, or as a man of a bad heart. She appears quite aware that Essex had lately wronged Cecil, and that in all preceding transactions, Cecil had favoured Essex.* Whether an energetic attempt on the part of of her ministers would have procured the pardon of Essex from the daughter of Henry VIII. is doubtful. It will not escape notice, that lady Essex herself, only requests Cecil to join with other councillors in soliciting the queen for a pardon. The decision did not rest with Cecil.

All then that can be said is, that Cecil did not risk his own credit with the queen, to save a rival by whom he had been ill-used. Probably a man of no more exalted character than Cecil, living in our day, would have done more. But in truth a modern statesman could not have been placed in the same position. The wildest or most factious politician could not perpetrate the extravagancies which Essex committed, so as to have forfeited his life to the law. Decapitation, moreover, was in those days an occurrence almost as familiar as dismissal is now, and a politician saw his rival carried to Tower-hill, with the feelings with which one now witnesses his departure from Downing Street.

The most unreasonable charge that has been made against Cecil is an insinuation that some of the bitter passages in Bacon's Declaration of the Treasons of the earl of Essex were dictated by the envy of Cecil.† Bacon himself, in apologising for the part which he had in this paper‡, tells us that Cecil, so far from aggravating his hostility towards the unfortunate earl, rather reproved him for it. "I must give this testimony to my lord Cecil, that one time at his house in the Savoy, he dealt with me directly and said, 'Cousin, I hear it, but I believe it not, that you should do some ill office to my lord of Essex; for my part, I am merely passive and not active in this action, and I follow the queen, and that heavily, and I lead her not. My lord

* See Cayley's Ralegh, i. 339.
† Edin. Review, lvi. 29. ‡ Works.

of Essex is one that in nature I could consent with as well as any one living. The queen indeed is my sovereign, and I am her creature; I may not lose her, and the same course I would wish you to take;' whereupon I satisfied him how far I was from any such mind."

There is in the British Museum a paper intitled "Sir Robert Cecil's letter to Squier, servant to the earl of Essex, by way of advice to his master the earl of Essex, after his coming out of Ireland, being in the queen's disgrace, anno 1600." It is very improbable that this letter was written by Cecil in 1600.* In the then state of the relations between the minister and the favourite, the one could hardly address such a letter to the other. And the only person of the name of Squire, who is known to have been connected with Essex, was hanged in 1598.† Still the letter is too curious to be left unnoticed.‡

This affair of Essex was, in some way not explained, connected with the estrangement between Cecil and Ralegh. This appears in a letter from sir John Harrington to Doctor Still, bishop of Bath and Wells.—"Cecil doth bear no love to Ralegh, as you well understand in the matter of Essex.§" These words might imply either that Cecil's want of friendship for Ralegh appeared in the matter of Essex; or, that a difference between them arose out of the matter of Essex.

From 1592, under which date Ralegh was last mentioned to this year 1600-1, we know little of what passed between him and Cecil. I have already mentioned a letter of 1597, ascribed|| to the secretary which mentions sir Walter with some disparagement. Ralegh was

* I do not feel certain that it was written by Cecil at all; what I find in the Museum is one of a great many entries in a book, all relating to Ireland, and all written in one hand; it is neither a copy taken at the time nor a draft. And the heading may be erroneous, both as to writer and date. Harl. 35. p. 199. b.

† Camden.

‡ See it in App. B.

§ Nugæ Ant. i. 342.

|| 26th of July. 1597. Ellis's Letters, iii. 41. The signature of this letter which is in the British Museum, appears to have been carefully cut out; for what reason it is difficult to guess; but there appears little doubt of its having been that of Cecil.

afterwards talked of for the government of Ireland, but I know not whether Cecil either supported or opposed this suggestion. But in September 1600*, the son of Cecil was residing at sir Walter Ralegh's at Sherborne, for the purposes of education, and the secretary was believed to have visited him there.† If this circumstance were to be taken as an indication of intimacy, at the very time of Essex's trial, it would support the conjecture, that the estrangement did arise out of the matter of Essex, at a late period of the transaction.

But unless we knew the terms upon which young Cecil was placed at Sherborne, we can draw no conclusion from his residence there. Ralegh was an accomplished man, and Cecil might have purchased for him instruction from Ralegh, or even change of air, without feeling entire confidence in the master of the house, or respecting his character. A series of mistakes has arisen from the erroneous notion, that Ralegh and Cecil were at any time intimate and equal friends.

The only known circumstance of Ralegh's interference in the matter of Essex is the most remarkable letter ‡ in which he urges Cecil "*not to spare that tyrant.*" It has been generally supposed that this letter was written while Essex lay under sentence of death. But it is without date, though endorsed "sir Walter Ralegh, 1601." It is observed § that no Englishman of the seventeenth century would have given that date to a letter in February, 1600-1 (the date of Essex's condemnation), and that therefore the date must be erroneous. I do not think this quite clear. We have seen that Cecil, who probably endorsed the letter, was acquainted with the errors of our old calendar, and he may in his private papers have used the new calendar, or he may have docketted the letter some weeks after its receipt, which will bring it to 1601, according to either computation.

* Sidney Papers, 214.
† He had been placed there in March, 1599. p. 181. Soon afterwards, Cobham and Ralegh both left London, much dissatisfied. See p. 186—8.
‡ See in Southey, iv. 162.
§ Jardine, 507.

The least probable conjecture is, that he received the letter in 1600, and dated it 1601. However, it is not a question of much importance, so far as Cecil is concerned, at what period of Essex's troubles, which began on his return from Ireland, in 1600, Ralegh's vindictive exhortation was written. At whatever time it may have been penned, it shows that Ralegh was, more than Cecil, the enemy of Essex. I cannot undertake to say, that the loss of friendship to which Harrington alluded arose out of Cecil's dislike of the advice tendered to him by Ralegh; but it may fairly be concluded, that if the matter of Essex did occasion a breach between them, the cause is rather in the moderation than in the severity of Cecil's conduct towards his rival.*

Cecil is mentioned in some of the Sidney Papers of this time, with allusions which I cannot well understand. "13th Nov. 1599. 200 (Sir Robert Cecil) either is married or to be married, which the queen is offended withal, affirming he promised never to marry, but he denies it, and says that he only promised to forbear it three years, which within nine weeks is expired. The necessity of his service will make his peace well enough." "Again: 8th Dec. At 600† return to court, will urge him all I may unto it: but he is full of his own business, for lord Cobham makes him believe that he will have one, and sir Robert Cecil will have his other daughter, yet I see no likelihood in either." The following is more intelligible:—"I delivered my lady's token of the fine Holland to sir Robert Cecil, whose answer was, that without such means she should command him; but since it came from a lady be would not refuse it. When

* Miss Aikin, who jumps at her conclusions with feminine vivacity, says "that Cecil was a cool and critical spectator of Essex's execution." There is no ground for this surmise, except a letter in which he mentions what occurred, according, no doubt, to the report which he had received. A narrative in Nichols's Progresses (iii. 547.), mentions as present, the earls of Cumberland and Hertford, lord Bindon, lord Thomas Howard, lord Darcy, and lord Compton. Aikin, ii. 480. Winwood, i. 301.

† Sid. Papers, ii. 140. 149. The names are in cypher, and this one is not explained. I should be inclined to doubt whether the cypher 200 really signified Cecil but that in other places it appears to fit him exactly.

he saw it, he admired and protested he never saw the like. He showed it in the evening to 40" (such is the foolish mystery) "who praised it infinitely, but Cecil only told him, that a lady sent it to him, but would not tell him who. What my lady desires, which is to have you over, he doth undertake shall be, and so I leave it to his best remembrance, but will put him in mind of it." *

The determination of Elizabeth and her ministers to continue the war, rather than submit to the imperious pretensions of Philip III., obliged her † to call together the parliament, of which there had been no session since 1598. ‡ In this parliament, Robert Cecil exercised the functions which we now ascribe to a leader of the house of commons. His first business was to ask for a supply, for defence against the king of Spain; whose ambition, and the dangerous consequence of his conquest of the Low Countries, or successes in Ireland, he set forth in clear and forcible language. ‡

Before they resolved to grant the supply, the commons who began to be less complimentary to their sovereign, set about redressing the great grievance of monopolies. Cecil did not venture upon an unqualified opposition to the motion for restraining these obnexious grants. He slightly urged the offence against the queen's prerogative, and special commands, which the motion for a bill involved; but he took a middle course, in suggesting the appointment of a committee for ascertaining the merits of the several patents, some of which he held to be "of a free nature, and good; some void of themselves; some both good and void." § His motion was adopted, but the house became so clamorous, that Elizabeth, without waiting for a consideration of a report from the committee, authorised the speaker to announce the repeal or suspension of all the monopolies. Cecil enforced the queen's instructions, in a remarkable speech, from

* R. Whyte to sir H. Sidney, 12th of July, 1600. ii. 206.
† October 27. 1601. Parl. Hist. i. 906. ‡ See p. 20, antè.
§ Parl. Hist. i. 911. 916. 920. || P. 932.

which a notion may be formed of the character which his oratory sometimes assumed.

"There shall be a proclamation general throughout the realm, to notify her majesty's resolution in this behalf. And because you may eat your meat more savoury than you have done, every man shall have salt as good and cheap as he can buy it or make it, freely without danger of that patent, which shall be presently revoked. The same benefit shall they have which have cold stomachs, both for aqua-vitæ, and aqua composita, and the like; and they that have weak stomachs, for their satisfaction shall have vinegar and alegar, and the like set at liberty. Train oil shall go the same way; oil of blubber shall march in equal rank; brushes and bottles endure the like judgment. The patent for pouldavy if it be not called in, it shall be. Oaad, which as I take it, is not restrained either by law or statute, but only by proclamation (I mean from the former sowing), though for the saving thereof it might receive great disputation; yet, for your satisfaction, the queen's pleasure is to revoke that proclamation; only she prayeth thus much, that when she cometh in progress to see you in your countries, she be not driven out of your towns by suffering it to infect the air too near them.

"Those that desire to go sprucely in their ruffs, may at less charge than accustomed, obtain their wish; for the patent for starch, which hath so much been prosecuted, shall now be repealed. There are other patents which be considerable, as the patent of new drapery, which shall be suspended, and left to the law. Irish yarn, a matter that I am sorry there is cause of complaint; for the savageness of the people and war have frustrated the hope of the patentee, — a gentleman of good service and desert, a good subject to her majesty, and a good member of the commonwealth, Mr. Carmarthen; notwithstanding, it shall be suspended, and left to the law. The patent for calf skins, and fells, which was made with a relation, shall endure the censure of

the law. But I must tell you, there is no reason that all should be revoked, for the queen means not to be swept out of her prerogative. I say it shall be suspended if the law do not warrant it." *

Then after disposing of several other articles, he said, " I must needs give you this for a future caution; that whatsoever is subject to public expectation cannot be good, while the parliament matters are ordinary talk in the street. I have heard myself, being in my coach, these words spoken aloud, " God prosper those that further the overthrow of these monopolies: God send the prerogative touch not our liberty." I will not wrong any so much as to imagine he was of this assembly; yet let me give you this note, that the time was never more apt to disorder, and make ill interpretation of good meaning. I think more persons would be glad that all sovereignty were converted into popularity; we being here, all but the popular mouth, and our liberty, the liberty of the subject; and the world is apt to slander more especially the ministers of government. Thus much have I spoken to accomplish my duty unto her majesty, but not to make any further performance of the well uttered and gravely and truly delivered speech of the speaker. But I must crave your favour a little longer to make an apology for myself. I have held the favour of this house as dear as my life, and I have been told that I deserved to be taxed yesterday of the house. I protest my zeal to have the business go forward in a right and hopeful course; and my fear to displease her majesty by a harsh and rude proceeding, made me so much to lay aside my discretion, that I said it might rather be termed a school than a council, or to that effect. But by this speech, if any body think I called him school-boy, he both wrongs me, and mistakes me. Shall I tell you what Demosthenes said to the clamours which the Athenians made, that they were *puqriles et dignos pueris!* And yet that was to a popular state.

* Parl. Hist. vii. 935.

And I wish that whatsoever is here spoken may be buried within these walls. Let us take example of the Jewish synagogue, who would always *sepelire senatum cum honore*, and not blast their own follies and imperfections. If any man in this house speak wisely, we do him great wrong to interrupt him; if foolishly, let us hear him out—we shall have the more cause to tax him. And I do heartily pray that no member of this house may *plus verbis offendere quam consilio juvare*." *

Although the house of commons continued, throughout the parliament, which lasted only two months, to be very disorderly, they gave more copious supplies than in any other year of the reign. † One of the inducements to these large aids, was the prevalence of piracy on our coasts. Those who served for maritime places began to find out that it was bad economy to reduce the naval force; and Cecil put it fairly to the house—" Unless you would have a continual charge unto her majesty by having ships lying betwixt us and Dunkirk, it is impossible but that at some time these robberies will be committed."‡ I know not whether this real grievance was redressed.

From his confidential letters to his friend Lord Shrewsbury §, Cecil appears to have felt deeply the embarrassment of his responsibility in striking a balance between contingent dangers and certain charges. "What my opinion hath been of the great rumours of Spain, you best know, and can best judge whether my case be not hard, when I must rather yield to that which is *vox populi*, than dissuade preparations, the interruption whereof, if disaster follow, would serve for a razor to cut my throat; yet I thank God that I have saved the queen many a man's levy, and many a penny that must have been spent, if I had believed that the king of Spain would either have sent 15,000, 12,000, or 10,000 men into Ireland. This I write not as seeking glory, for it

* Parl. Hist. p. 936.
† Four subsidies, and eight fifteenths. 43 Eliz. c. 18. Sinclair's History of Revenue, i. 210.
‡ Parl. Hist. p. 949.
§ Gilbert Talbot, seventh earl, died 1616.

is the portion that belongs unto me; though, in respect of the envy and idle conceits, of the felicity wherein I live, I may say I have but Martha her part. Neither do I write this with any such rash security (knowing that the king of Spain may at all times send into Ireland to trouble us, though not to devour us), but that I am as forward as others, in measure, to supply the army with two or three thousand, and think it a very good counsel till October be past to keep some fleet upon his coasts; of which the Flemings are now grown weary, for their fleet is now come home full of Brazil sugars."*

No serious attack was made by Spain either upon England or Ireland during the remainder of this reign, nor indeed during the continuance of the war.

In this session sir Walter Ralegh spoke earnestly for a supply†, but he does not appear to have been an implicit follower of the minister, with whom he differed on some occasions of no great importance.‡ Cecil showed himself a judicious manager of the house of commons. A question occurred whether to assess the holders of land down to three pounds or to stop at four. In reference to a speech in which it had been stated that "some poor people had pawned their pots and pans to pay the subsidy"—"This I know," said Cecil, "that neither pot nor pan, nor dish nor spoon, should be spared when danger is at our elbows. But he that spoke this, in my conscience, spoke it not to hinder the subsidy, or the greatness of the gift, but to show the poverty of some assessed, and by sparing them to yield them relief. But by no means I would have the three pound men exempted, because I do wish the king of Spain to know how willing we are to sell all in defence of God's religion, our prince and country."§

Ralegh, though he had spoken for carrying the assessment to the lower point §, answered Cecil in a tone,

* 1602. Lodge's Illustrations, iii. 124.
† Parl. Hist. i. 915. ‡ Ib. p. 916. 920. § Ib. p. 919.
|| This seems clear from his speech in p. 916.; yet his speech in p. 920. tends the other way: so uncertain are the records of these ancient proceedings in parliament.

which, if not that of an enemy, was certainly not that of an adherent. "I like not that the Spaniards, our enemies, should know of our selling pots and pans to pay subsidies; well may you call it policy, as an honourable person alleged, but I am sure it argues poverty in the state." Cecil replied, that he wished the Spaniards to know that we were willing to sell our goods, but not that we were under the necessity of selling them, which he thought some had need to do. On another occasion a member was accused of pulling back by the sleeve another whom he wished to go out of the house on a close division. When exception was taken to this, Ralegh said it was nothing, and that he had oftentimes done the same thing himself*: whereupon the comptroller of the king's household proposed that the delinquent, whether Dale, the puller of the sleeve, or Ralegh, does not clearly appear, should answer at the bar. The minister, judiciously taking a middle course, concurred in the blame cast upon the irregular transaction, but saw no ground for proceeding against Dale, or his apologist. It is manifest that at this time there was neither cordial friendship nor profession of intimacy between Cecil and Ralegh.

On another occasion Cecil and Raleigh differed upon a point of political economy. It was proposed to continue in force the *statute of tillage*, by which every landholder was compelled to plough one third of his land.† Ralegh opposed this measure upon the general principles of freedom, the hardship inflicted upon a man whose means would not allow of his sowing so much of his land with grain, and the facility of purchasing corn from abroad. Cecil acknowledged that, not dwelling in the country, he had little acquaintance with agriculture, but he upheld the claims of the plough:—"Whoever does not maintain the plough destroys the kingdom . . . Say that a glut of corn should be, have we not sufficient remedy by transportation, which is allowed by the policy

* Parl. Hist. p. 982.
† 39 Eliz. c. 2.; but the law I believe was older. Southey, 338.

of all nations. I cannot be induced, or drawn from this opinion upon government of foreign states. I am sure when warrants go from the council for levying of men in the counties, and the certificates be returned to us again, we find the greatest part of them to be ploughmen; and excepting sir Thomas More's Utopia, or some such feigned commonwealth, you shall never find but the ploughman is chiefly provided for: the neglect whereof will not only bring a general, but a particular damage to every man. If in Edward I's time a law was made for the maintenance of the fry of fish, and in Henry II.'s time for preservation of the eggs of wildfowl, shall we now throw away a law of far more consequence and import? If we debar tillage, we give scope to the depopulation; and then if the poor beings thrust out of their houses go to dwell with others, straight we catch them with the statute of inmates; if they wander abroad they are within the danger of the statute of rogues. So by this means, undo this statute and you endanger many thousands.

"Posterior dies discipulus prioris."

If former times have made us wise to make a law, let these later times warn us to preserve so good a law."*

I am bound to say that Ralegh had made greater progress than Cecil in political science; and I suspect that notwithstanding his tribute of respect to the plough, even those landholders of the present day, who speak contemptuously of *free trade*, would not desire to be subject to a legislative regulation of the mode of using their land. Yet I doubt whether, while foreign corn is excluded, they could reasonably object to such a law as this of Elizabeth, if it were necessary for securing a supply of domestic corn, or for employing the poor in agriculture, according to Cecil's opinion. But the house of commons of 1601 agreed with the minister.†

* Townshend's Historical Collections, 299. D'Ewes's version is nearly similar; but the Parl. Hist. is defective.

† St. 43 Eliz. c. 9. sec. 22.

On the 19th of December, 1601, this parliament was dismissed with expressions of royal gratitude.*

Elizabeth's antipathy to the notion of a successor, and aversion to him who, according to hereditary descent†, was destined to occupy her throne, were not unnatural feelings. And whatever may have been her motives in refusing to acknowledge during her lifetime, the claim of the future monarch,—whether the refusal was or was not merely a part of the general system of mystification which characterised all her proceedings,—it was not without its justification in true policy. An heir to the crown, apparent or presumptive, has in almost every instance occasioned embarrassment to the monarch on the throne; and Elizabeth being without an heir apparent, may reasonably enough have desired to let the claim of the heir presumptive remain in so much uncertainty as to deprive him of some part of that influence among expectant courtiers, which, if the event expected were as certain as her age made it near, might have inconveniently interfered with her own authority. A modern historian‡ has imagined that James suspected Cecil of favouring the pretensions of Arabella Stuart. It is not at all probable that Cecil favoured any competitor: the more reasonable conjecture is, that he humoured the prejudices of his mistress, until the nearer approach of her death, and some indications on the part of James warned him of the necessity of courting him whom he considered as her probable successor.

James was certainly suspicious of Elizabeth's advisers, and of Cecil in particular, of whose influence he was well aware. "Ye must so deal," he instructed his ambassador, "with Mr. Secretary, and his principal

* Parl. Hist. i. 1596.

† Hallam contends (and if we suppose the will of Henry VIII. to be genuine, successfully,) that the Scottish line had been postponed by legislative authority to that of Suffolk. James's title, thus, was *not* the most valid in law. Const. Hist. i. 392.

‡ Lingard, viii. 465. Lingard refers (466.) to letters in Birch, 310—13., for a negotiation about an annuity, the language of James concerning Cecil, &c. There is nothing of the kind in Birch; nor does the "secret correspondence," p. 1—26. bear him out in any one of his material averments.

guiders, or ye may assure them, that as I find my requests answered in these points," namely, several demands he had made of Elizabeth for the security of his interests, "I will make account of their attentions towards me accordingly; and if in these points I be satisfied that ye have power to give them full assurance of my favour, especially to Mr. Secretary, who is king there, in effect . . . . . The day may come when I will crave account at them of their presumption, when there will be no bar betwixt me and them; and ye shall plainly declare to Mr. Secretary and his followers, that since now, when they are in their kingdom, they will thus misknow me, whence the chance shall turn, I shall cast a dead ear to their requests."*

James was at this time prejudiced against Cecil, as thinking that he had been instrumental in the death of Essex, who had made a friend of the king of Scots, when he lost the favour of his own sovereign. There had been some talk of Cecil's coming to Scotland with the order of the garter for the king. "I am content he come," James is reported to have said, "but he shall go short back again." "Your honour," adds Cecil's informant, "is not well loved here for the vain conceits they have taken of Essex's death."†

About this time Cecil opened a communication with James. Through what channel he approached him, or by what means the correspondence was conducted, has not been ascertained; still less are we acquainted with the purport of his letters. One of his correspondents was the master of Gray‡; there are in the State Paper Office many drafts of letters from Cecil to this person, from which I cannot infer that they constituted the

* Letter from Linlithgow, 8th of April, 1601, in Secret Correspondence, p. 6—8.

† J. Douglas to Cecil. Edinburgh, 20th of May, 1601. Scottish Corr. in State Paper Office.

‡ Patrick Gray, afterwards seventh lord Gray, an accomplished and intriguing man. He had been banished from Scotland in 1587, for treachery in his capacity of ambassador in England; and while in Italy, gave information to Elizabeth of James's supposed tampering with the pope. But he appears to have recovered the king's favour soon after his return. See Robertson, ii. 101. 151. 205.

secret correspondence with James. Few of those which I have seen are important; the earliest to which I attach any interest is one of April, 1601, in which the treasons of Essex are set forth, and much anxiety shown to save the life of lord Southampton.*

It appears that James had suspected this master of Gray, who had been lately on the continent, of being concerned with Cecil in a supposed negotiation carried on between the queen and the archduke, with a view, it is to be presumed, of setting up the Infanta's title against that of James.† But the master, as I infer from Cecil's letter, had not only denied this charge but had, in order to make his peace with his own king, given him reason to expect more from Elizabeth, in the way of recognition, than she (as Cecil well knew) was disposed to give. Cecil assured Gray that he vindicated him to James's ambassadors; but he added, "Concerning any thing which you had undertaken for the queen with the king, if it were in particular, I confess you had done both sides wrong, for you had no warrant but this, that the queen had a clean heart towards him, that she never had thought to prejudice him, neither could any man be guilty of this harm. . . . .‡ And for the point of his lack that so he might use her, and so far seek to keep the rebellion of Ireland from being fed by his subjects, she would not stick to help his necessities,

* "First, because he is a nobleman full of spirit and courage, of which sort this kingdom hath not many. Secondly, I do know that he had no affection to the earl, but by the accident of his marriage with his cousin-german. Next, for my own particular, he was bred in my father's house, and ever (notwithstanding the separation betwixt the earl and me) kept so good form with me, as I protest, I am persuaded he would have saved my blood, if I had come within his power. But this of my particular I speak not, as a matter that has power to save him, or spill him, for mercy comes from God, who holds princes' hearts. Only when I write to you, whom I have freely made to know me, I love to make you know my inside. In reference to some matter, which I do not comprehend, he says, "Her majesty, and they my lords, have interchanged many words, they thinking by argument to persuade her, whose nature you know to be more unapt to yield, even in trifles, when she conceives they are challenged as duties, than in great matters wherein she conceives that the world doth believe whatsoever she granteth is *ex mero motu*."

† "They (the Scottish ambassadors) did absolutely show that the king did in no sort like of you; and that he did think plainly, that you did traffic here between the archduke and the queen, and by my means."

‡ Some words here and in other places are illegible, and affect the sense of the passages.

though her own occasions were infinite. For the last, which concerns the matter of the infant, I spoke, as God and your own soul doth know it, truly; that you never dealt with me, that I hated the nation, that I abhorred to be their subject, and that if you once had motioned it, I would have authorised you . . . . . Thus have you as much as has passed hitherto, wherein my conscience telleth me, that I have dealt sincerely of all hands, and therefore in conclusion you must thus resort to your own judgment, and if it be not enough for Scotland to see more and more how every accident makes their paths . . . if they tread not awry, and that before their time; or that it be not sufficient for the king to know the queen is just and her ministers honest, unless she can be drawn to give an account of all her actions, or was to affirm his title, which no man that liveth about her dare propound unto her. Then I do not see how your foundation will be established by any great matter you shall have from hence, so as in that case, though I would not have you list*, as God is my witness, if I thought you meant not wholly to study all good offices between both princes, yet I would be right sorry for the love I bear you that by hiding thus much from you, you should perish to no purpose a good design."

No letter has been published, so far as I know, which Cecil addressed to James himself†; but it is certain that he did address to him in some form or another an explanation, which was received as an apology for his conduct, possibly for the part which he took in the proceedings against Essex, but more probably for the share which he had in the refusal of Elizabeth to recognise James as her successor. "The king," says one of Cecil's correspondents in Scotland, "has seen your apology; he has commanded me expressly to signify unto you, from him, that he accepts of it very kindly, and is

* I know not in what sense this word is used.

† Dr. Birch made inquiry whether any trace of the correspondence was to be found at Hatfield, and was answered in the negative. MS. 4164, no. 9. Ayscough's Index, i. 178.

resolved to embrace your good will towards him with all the favour he can be able to show you, and in particular to let you know, that he never minded to quarrel with any who did as you have done by commandment, and not (as you writ) out of malice, he craves your assistance in all the particulars of that matter, that you can be able to let him know, and gives you many thanks for that which you have done already. I will assure you, you will not serve a thankless master.*

Some time after this, the master of Gray proposed that Cecil should propitiate James towards himself, and towards Gray, by letters which, professing to be private, should nevertheless find their way into the king's hands. I know not whether Cecil took this advice, but I suspect that he preferred and soon commenced a less circuitous method of addressing the successor. This correspondence, if preserved, is still secret. Fifteen letters have been published which have for more than seventy years passed in the world as "the secret correspondence of Sir Robert Cecil with James VI. King of Scotland." A reader not acquainted with the book will be surprised to hear, that it contains not one letter from James to Cecil, or from Cecil to James. They are mostly written by lord Henry Howard †, and addressed to lord Mar, and Mr. Bruce; nor has the editor, a learned antiquary and a judge, supported, either by evidence or by argument, the title which he has given to his book. It appears to me quite clear on a perusal of the letters themselves, that although they may perhaps have been written under general instructions from Cecil, and although the answers were shown to him, he did not see the letters; and is no more responsible for their contents, than for the almost euphuistical style in which they are written. It is surprising that the judicial mind

* A letter in the State Paper Office, dated 9th of July, 1601, and signed 9. 8. The letter makes an unintelligible allusion to some voyage to be made by Cecil, with lord Cobham (as the cypher is explained); and to a villainous part played by lord Sanquaher, who had "lyed monstrously," probably of Cecil.

† Second son of the celebrated Earl of Surry, and afterwards known with little credit as Earl of Northampton.

of lord Hailes should not have perceived that the burden of the proof, that letters written between two parties, signing their names, constituted a correspondence between two *other* parties, lay justly upon *him;* it is still more surprising that he should have made his statement with passages before him which Cecil could not have seen, unless we imagine a complete scheme of unnecessary mystification. In Howard's letters there are distinct averments, that certain passages were inserted, *in disobedience of Cecil's instructions*, and his correspondent is warned not to notice in his answers certain parts of the letters from England, evidently *because Cecil was not to know that they had been written.* Elsewhere, hints are given as to the purport of the answers, because Cecil is to see them *

Cecil was no doubt well aware that Howard corresponded with lord Mar and Bruce; many of the letters were probably written under general instructions from him, and the answers, or some of them, were shown to him; but Howard's character was too selfish, intriguing, and *officious*, and his language too obscure, to allow of our treating his letters as those of any person but himself. Admitting, however, that Cecil is to be made responsible for these letters (excepting only those passages from which the writer himself disconnects him), I really do not see any thing to blame in the correspondence so far as it respected the queen, whose interests were not in any instance sacrificed for the sake of gratifying James, or securing his succession.

With George Nicholson the queen's agent in Scotland,

* Letter II. November 22. 1601.—"Cecil forbad me to advertise these particulars, because they are of no great consequence to the main; and yet he thinks that any one of these small leaks would let in a great deal of water, into the vessel of our traffic, if the least point came to discovery." Letter III.—"You must not touch one word in your letter of the consultations and canons of Durham House, because I had not warrant to advertise them; although I was the instrument of bringing the chief things to discovery." Again, letter IV.—"After I had folded up this letter, ready almost for the seal, I was sent for by Cecil.... Letter VII.—"I pray you dear Mr. Bruce, by the next, let Cecil perceive again that your promise is precisely kept, &c." Letter XII.—"It remains, dear Mr. Bruce, that first, you write no word in answer to all those doubts, and answers, by the next, which Cecil may see, and thereupon unjustly suspect juggling."

Cecil kept up an official correspondence; this man, it appears, on one occasion at least, addressed Cecil on his more private interests, and the following was the reply:— "October, 1602. Since the writing of my letter I have received yours of the 12th of October*, by the convoy of the lord Scroope, for which, although I note in you much good affection towards me in your dealings with the king, yet I may not hide from you still one resolution, which is, that I never will be otherwise, to that king or any, for hope or fear, than as her Majesty shall have just cause to conceive of their sincerity towards her, for Mr. Nicholson, more than that my heart could never, nor never shall accuse me, of any practices against princes; yet by the grace of God, I never will have other dealing with that king than as you see, and for the course which D—d takes with him in offering to be a means for me, it is his own double diligence, and none of mine, or if he will say that ever I wrote to him in cypher the value of six words, let me have the shame of it before God and man, for I thank God I am not yet so miserable as to need any such mediation, and therefore if the king told it you for me to know it, and keep it private, and will do so; or if the king will be contented that I should challenge him for it, I will make him recant it, for I take God to witness it is a fiction. I pray you therefore observe a mean in your report of my courses wherein, as I promise by God's help that they shall never be built upon unworthy foundations, so I desire not your endeavour or labour to speak any thing for me but truth, or to conjecture that I do aim at any other acceptation or correspondency than such as is necessary for her Majesty's secretary and humble servant." This is not the letter of a man conscious of doing his royal mistress a secret injury.

The most reasonable ground of inculpation is, that the correspondence was studiously concealed from queen

* I do not find this letter in the State Paper Office. There is one from Nicholson to Scroope, conveying the packet, and alluding to some public matters which are noticed in the sequel of Cecil's answer, which is in draft under his own hand.

Elizabeth.* Let us hear Cecil himself, who, in writing to sir Henry Wootton concerning the dismissal of a secretary, thus justifies the correspondence and its concealment:—"I was loath that he should have come to some discovery of that correspondence which I had with the king our sovereign †; . . . he might have raised such inferences thereof as might have bred some jealousy in the queen's mind, if she had known it, or heard any such suspicion to move from him, wherein, although I hope you remain secure, if her majesty had known all I did, how well there‡ should have known the innocency and constancy of my present faith. Yet, her age and orbity, joined to the jealousy of her sex, might have moved her to think ill of that which helped to preserve her. For what could more quiet the expectation of a successor, so many ways invited to jealousy, than when he saw her ministry that were most inward with her, wholly bent to accommodate the present actions of state for his future safety, when God should see his time."§

It may, perhaps, be admitted, that a minister of scrupulous delicacy and lofty sentiments, would have abstained from a political transaction which he found it necessary to conceal from his queen; that he possessed not this chivalrous character is the utmost that can fairly be urged in disparagement of Cecil.

Lord Hailes's collection contains but one letter from James himself. ||

* Every body has heard a story of the means taken by Cecil to keep his secret from his mistress.—"The queen taking the air on Blackheath, by Greenwich, a post summoned her to inquire from what quarter his business came, and hearing from Scotland, she staid her coach to receive the packet; but the secretary, sir Robert Cecil, being in the coach with her, fearful that some of his secret conveyances might be discovered, having an active wit, calls for a knife suddenly to open it, lest puts-off and delays might beget suspicion; and when he came to cut it, he told the queen it looked and smelt ill-favouredly, coming out of many nasty budgets, and was fit to be aired and opened before she saw it; which reason meeting with her disaffection to ill-scents, hindered her smelling out his underhand contrivances."—Kennet, ii. 662.

† This avowal, be it observed, is not inconsistent with my opinion, that Cecil did not see Henry Howard's letters.

‡ Sic.

§ To sir Henry Wootton. 29th of March, 1608. Sidney Papers, ii. 326.

|| Some of Howard's letters allude to the direct correspondence between James and Cecil. See p. 64. 85.

That letter, addressed to lord Henry Howard, displays perfect confidence in Cecil, and affords no countenance to the statement of Lingard*, that the king reproved Cecil for his inculpation of other English statesmen, or for his insinuations against the Scottish queen. True it is, that while expressing his trust in the provident wisdom of Cecil, who had completely overcome his prejudice, he speaks with less respect of the "ample Asiatic and endless volumes" of lord Henry Howard. He made the just distinction, which English writers have overlooked, between the minister and his friend.

A Scottish author† gives us one letter from James, which is strikingly indicative of his good opinion of Cecil, and of Cecil's fidelity to his own queen. Spottiswood tells us, that Beaumont, the ambassador who was sent from France a short time before Elizabeth's death, and who brought to Cecil "a letter of infinite kindness" from Henry IV., talked to Cecil of the injury which his interests would sustain by the change of sovereign. "The secretary, that was no child, knowing that the ambassador did but sound him, for making some other project, answered, 'that this was the reward of unspotted duty, when ministers did only regard the service of their sovereigns, without respect of their own particular; and that for himself, he should never grieve to endure trouble for so just a cause, the same being, to a man that valued his credit more than his security, a kind of martyrdom; notwithstanding, he supposed that things passed would not be called to mind, or if so, were, and he saw his case desperate, he should flee to another city, and take the benefit of the king's royal offer.' The ambassador being so answered, made a fair retreat, saying that, 'in case the king of Scots did carry himself towards the king of France with the respect that was his due, he was not prepared to impeach his interests.' The secretary replying, 'that it was a wise resolution his master had taken,' the ambassador

* Vol. viii. p. 477.
† Spottiswood's History of the Church of Scotland, 1602. p. 471—472.

ceased to tempt him any farther in that business." Cecil reported all this to king James, whose answer was this: — "As I do heartily thank you for your plain and honest offer, so you may assure yourself that it would do me no pleasure that you should hazard either your fortune or reputation, since the loss of either of these would make you the less available to me. No, I love not to feed upon such fantastical humours, although I cannot let busy-bodies to live upon their own imaginations:" adding, after a blasphemous comparison, "I protest in God's presence, that, for your constant and honest behaviour to your sovereign's service, I loved your virtues long before I could be certain that you would deserve at my hand the love of your person; wherefore go on, and serve her truly that reigneth as you have done; for he that is false to the present will never be true to the future."

The same author shows, that the representations against Northumberland*, for which Lingard supposes Cecil to have been rebuked†, had, on the contrary, their full effect; for when that noblemen addressed James on the state of his prospects, with some disrespectful allusions to Elizabeth, the Scottish king charged him "to forbear such writing," and this rebuke was communicated to Cecil's agent.‡

It has been much the practice to censure Cecil for prejudicing the mind of James against Ralegh, and his two friends Cobham and Northumberland, who are styled in the correspondence a diabolical triplicity.§ It is true that Henry Howard tells a long, and not very intelligible, story of schemes adopted by these three men, or rather by two of them — for Northumberland is represented as their tool — for making a merit with king James, and with Cecil||, by offering to reconcile

* Henry Percy, ninth earl.

† P. 477.

‡ "Touching the answer of king James to the earl, I must speak with admiration." That this was the letter to Northumberland, appears from the tenor of the correspondence, from the date, and from the expression, — "His majesty advised him, out of his royal care of others, not to send often in." Lord H. Howard to E. Bruce, April, 1602. See Corr. pp. 64, 65.; and Spott. 472.

§ P. 29.

|| P. 30.

them, and, at the same time, to instil into queen Elizabeth a suspicion that Cecil was negotiating with James. It would appear (but really it is not easy to discern Howard's meaning), that Cobham betrayed to Cecil some part of the schemes which are called by Howard "the consultations and canons of Durham House," (the place of meeting), and that Cecil treated the information with great indifference*, and could not be brought to make to this officious and interested meddler any declaration of his future views. Then came Ralegh†, professing to communicate to Cecil the overtures which had been made to him by the duke of Lenox, and relates, perhaps rather boastfully, his refusal to entertain any motion "that should either divert his eye or diminish his sole respect for his own sovereign." The queen's minister could not but applaud this behaviour, but would not undertake to represent it to Elizabeth. It would be thought, he said, intended to "pick a thank" of the queen, and to injure Ralegh's interests with the king.

Mr. Bruce was desired by lord Henry Howard to acquaint the king with the dealings of the duke of Lenox with Cobham and Ralegh, in order that he might compare it with the duke's own report. "You must not touch one word in your letter of the consultations and canons of Durham House, because I had not warrant to advertise them."‡ But Cecil did offer recommendation through Mr. Bruce to the king, that he would not mention a communication between Lenox and the triplicity. Henry Howard suggested a conclusion, that the king should be persuaded *to thank Cecil for the light he receives of Cobham and Ralegh by this advertisement;* and if it please his majesty," he continues, "to speak of them suitably to the concert § which Cecil holds, it will be the better; for Cecil swore to me this

* P. 46. † Ib.

‡ P. 49. It appears to me clear that Howard means that Bruce is not to notice these matters in his next letter, because he had no warrant from Cecil to mention them to Mr. Bruce, and therefore wished to conceal the fact of his communication; just as on a former occasion he mentions matters which Cecil distinctly forbad him to notice. This is therefore one of the proofs that Cecil did not see Howard's letters.

§ Should not this be conceit?

day*, that *dyo erinacii*, that is, he and they would never live under one apple tree. The thing which Cecil would have me print in the king's mind, is the miserable state of Cobham and Ralegh, who are fain to put their heads under the girdle of him whom they envy most, and that they cannot escape his walk with all their agility, which, if you seem in your letter by the king's direction to observe, you will tickle the right humour."

I have made these copious extracts because they are the favourite citations of those who inculpate Cecil; for currying favour with James, for giving him a bad opinion of Ralegh, and preventing him from reaping the advantage which Cecil proposed to himself.† But it must be borne in mind that, although the fact of Cecil's correspondence with James is known, independently of Henry Howard's letters, it is only from those letters that we obtain the knowledge of his inculpation of Ralegh; and if the verbose and mysterious epistles of the future earl of Northampton are good authority for Cecil's warning of James against Ralegh and the others, they are good also for the provocation; and for Cecil's ignorance of the most offensive and criminatory language. The consultations of Durham house fully justified the minister as regarding the three associates as his enemies, but even without the knowledge of those deeper intrigues, acquired through the suspicious channel of Henry Howard, Cecil was fully warranted in dissuading James from listening to their counsels.

In quitting this celebrated correspondence, I beg it to be observed that the authority of Henry Howard, such as it is, exhibits Cecil as the guardian of lord Southampton's life, and as the person most inclined to deliver Essex. ‡

An ill opinion of Ralegh was not confined to Cecil:

* P. 52. This passage affords no proof, but a strong presumption, that Cecil did not see the letters.

† The most vehement of these attacks, is in sir E. Brydges's Censura Literaria, iv. 179.

‡ See Cor. 219, noticed by Southey, iv. 346.

Northumberland, one of the three friends, after acquitting all English politicians of "plotting with any foreign princes," and acknowledging that Cobham and Ralegh were "in faction contrary to some that held with James's title," speaks thus of sir Walter, in his correspondence with king James: — "I know him insolent, extremely heated, a man that desires to seem to be able to sway all men's fancies, all men's causes; and a man that out of himself, when your time shall come, will never be able to do you much good, nor harm." It is fair to add the more favourable testimony which immediately follows: — "Yet I must needs confess what I know, that there is excellent good parts of nature in him; a man whose love is disadvantageous to me in some sort, which I cherish rather out of constancy than policy, and one whom I wish your majesty not to lose, because I would not that one hair of a man's head should be against you that might be for you." * This qualified recommendation of Ralegh, by one who was at least his political friend, might naturally deter James from placing confidence in Ralegh.

The long reign of Elizabeth was drawing to a close; but Cecil still abstained from any declaration of his sentiments in regard to the succession to her throne. The Scottish king and the English minister probably understood each other; Cecil had no other view than the succession of James, and it was with the full concurrence of the king that he disclaimed any concern in the question of succession. James apparently preserved a corresponding secrecy, and never spoke of Cecil's attachment to his interests. †

The question of the succession was connected with

* Letters from Northumberland to king James, in Aikin's James I., 58. It is a matter of regret that extracts only are given of these letters, and no date.

† Henry Howard, while securing to himself the advantages of an early adhesion to the interests of the successor, endeavoured with remarkable dexterity to persuade other countries that they would lose nothing by the postponement of their declaration until after the establishment of James upon the throne. P. 128-9.

some proceedings concerning the catholics, in which Cecil had necessarily some part.

Persons, and the Spanish and Romanist party among the catholics, proposed, under the secret patronage of Pope Clement VIII.*, a union of all catholics in support of a successor of that persuasion, and even entertained a visionary scheme for marrying Arabella Stuart to the cardinal Farnese, who traced his pedigree to John of Gaunt. †

The other division of catholics under Paget, professed more moderate views, merely hoping to obtain, in return for their promised support of James, some favour for the members of their church. They disavowed all connection with the party of Persons, and sought the protection of secretary Cecil. ‡ They so far succeeded in obtaining some facilities in their correspondence and publications, as to excite scandal among the puritans, and suspicion among the more violent, that the minister intended to tolerate the two religions; an intention which the queen was under the necessity of disclaiming in a royal proclamation, in which a distinction was made between the two parties among the catholics. §

* Aldobrandini.

† I know not how.

‡ Winwood, i. 51. 52. 89. 161. 373. Lettres d'Ossat, v. 44. 60. For some part of this statement there is only the authority of Lingard; but he is likely to be right on such a point. Lingard, viii. 477.

§ November 5. 1602. "Of late much contention and controversy has arisen between the jesuits and the secular priests combined with them on the one part, and certain of the secular priests dissenting from them in divers points on the other part, thereby a great difference of offence against us and our state, betwixt one and the other sect, hath manifestly appeared. The jesuits, and the secular priests their adherents, seeking and practising by their continual plots and designs, not only to stir up foreign princes against us to the invasion and conquest of our kingdom, but also even to murder our person. The other secular priests not only protesting against the same as a thing most wicked, detestable, and damnable, but also offering themselves in their writings and speeches to be the first that shall discover such traitorous intentions against us and our state, and to be the foremost, by arms and all other means, to suppress it; so as it is plain, that the treason, which locked in the hearts of the jesuits and their adherents, is fraught with much more violent malice, perils, and poison, both against us and our state, than that disloyalty and disobedience which is found in the other secular projects that are opposite therein unto them." The queen, however, proceeds to impute to the whole body of catholics "disloyalty and disobedience," and charges them with "insinuating into the minds of all sorts of people, (as well the good that grieve at it as the bad that thirst after it), that we have some purpose to grant a toleration of two religions within our realm, where God, (we thank him for it, who seeth

It was certainly not until Elizabeth was on her death-bed, that she declared her pleasure as to the succession to her throne. I say, *her pleasure*, because all writers, I know not why, have attached great importance to the declaration of the dying queen, as if the succession depended upon it. No account which I have seen strikes me as sufficiently authentic; but it appears most probable that Cecil sought and obtained a declaration in favour of James. Whether that declaration was couched in the remarkable language * which has been reported, I do not undertake to pronounce.

On the death of Elizabeth, Robert Cecil acknowledged James as his king, and was immediately taken into favour, and confirmed in his post of secretary. His enemies have said that he obtained James's favour through the influence of sir George Hume †, and of Roger Aston ‡, a gentleman of the king's bed-chamber. Surely his former communications with the king, and his actual position in the government of England, may account sufficiently for his appointment to the post of secretary.

On his journey to London the new king was for four days the guest of Cecil, at Theobald's §, where he was entertained with great magnificence ||, and the first peer-

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into the secret corners of all hearts) doth not only know our own innocency from such imaginations, but how far it hath been from any about us once to offer to our ears the persuasion of such a course, as would not only disturb the peace of the church, but bring this our state into confusion.' Rymer, xvi. 473.

* "I will have no rascal to succeed me." See Camden in Kennet, 653.; Somers's Tracts, i. 246.; Cary's Mem., 122.; Birch, ii. 506.; and lastly, D'Israeli's Curiosities of Literature (1834), vi. 120.; also Von Raumer, ii. 194.

† Afterwards earl of Dunbar.

‡ Miss Aikin copies Weldon in styling Aston the 'king's barber'(i. 103.), and Lodge (iii. 180.) calls him a menial servant. He says, however, that he was a gentleman of Cheshire, and the situation which he held was probably one of those which, in a royal household, is held by a gentleman. From his letters in the State Paper Office, I cannot infer that he was a low man. He became master of the wardrobe.

§ In the parish of Cheshunt, Herts. Brayley, vii. 236.

|| Not only James and his numerous train, but all who came to see their new king, were plenteously feasted. Nicholls, i. 107. 111. 135.

age which he conferred, was the barony of Cecil of Essenden, upon his host.*

Yet a letter, which the new baron wrote to sir John Harrington, shows that he was not perfectly happy under the change of sovereign. "You know all my former steps, good knight; rest content, and give heed to one that hath sorrowed in the bright lustre of a court, and gone heavily even to the best seeming fair ground. 'Tis a great task to prove one's honesty, and yet not spoil one's fortune. You have tasted a little hereof in our blessed queen's time, who was more than a man, and (in troth) sometimes less than a woman. I wish I waited now in her presence-chamber, with ease at my food, and rest in my bed; I am pushed from the shore of comfort, and know not where the winds and waves of a court will bear me; I know it bringeth little comfort on earth; and he is, I reckon, no wise man that looketh this way to heaven. We have much stir about councils, and more about honours. Many knights were made at Theobalds, during the king's stay at my house, and more to be made in the city. My father had much wisdom in directing the state; and I wish I could bear my part so discreetly as he did. Farewell, good knight, but never come near London till I call you. Too much crowding doth not well for a cripple, and the king doth find scanty room to sit himself, he has so many *friends*, as they choose to be called, and heaven prove they lie not in the end. In trouble, hurrying, feigning, suing, and such like matters, I now rest your true friend, R. Cecil.† Lord Cecil's dissatisfaction with the new court was observed by foreigners; nor did he conceal his regrets. The imperious Elizabeth had required her ministers to address her kneeling; and Cecil, to one

* May 13. 1603. "The manner of the creation of the four barons at the Tower was, that they came not in before the king in part of their robes, as other barons created were accustomed to do, but coming before the king in their ordinary apparel, they had their robes laid on their shoulders, and their patents read and delivered unto them. The cause why they came not in their robes was for that the deformity of sir Robert Cecil, he being a little man, almost a dwarf, and extremely crookshouldered, should not be discerned nor not much noted of the beholders; albeit, each man present perfectly knew of these imperfections." Harleian MSS. 5877., quoted in Nicholls' Progresses, iv. 1455.

† May 27. 1603. Nugæ Antiquæ, i. 345.

who congratulated him on his delivery from this onerous and degrading obligation, answered "Would to God that I yet spake upon my knees." *

There were, however, no indications of estrangement on the part of the new king. Cecil's friends, lords Henry and Thomas Howard, were among the new members (six Scots † and six English) of James's privy council, nor were any of the councillors known to be hostile to Cecil, unless it were Northumberland.

Another letter of this period is subjoined, as illustrative of Cecil's style and habits, and perhaps indicating some jealousy of the Scots: — "This place ‡ is unwholesome, all the house standing upon springs. It is unsavoury, for there is no savour but of cows and pigs: it is uneaseful, for only the king and queen, with the privy chamber ladies, and some three or four of the Scottish council, are lodged in the house, and neither chamberlain nor the English councillor have a room; which will be a sour sauce to some of your old friends that have been merry with you in a winter's night; perchance they have not removed to their bed in a snow storm. . . . . The earl of Nottingham hath begun the union, for he hath married the lady Margaret Stewart. All is well liked, and the king pleased, and so I end, with my service to my lady, and with a release now to you for a field hawk, if you can help me to a river hawk that will fly in a high place: stick not to give gold, so she fly high, but not else." §

Ralegh did not participate in the favour of the new king. || The antipathy of James to this celebrated man,

* Beaumont's desp. August 1603. Von Raumer's, 16th and 17th centuries, ii. 201.

† Lingard says (ix. 7.) that these Scotsmen were introduced into the privy council by Cecil's advice, or at least with his approbation. How does Lingard know this? and what does he mean by "condescending to purchase the friendship of the Scottish favourites"? It was surely natural that James should bring some Scots into his council.

‡ The palace of Woodstock.

§ To Lord Shrewsbury, Sept. 1603. Lodge, iii. 186.

|| Miss Aikin (James I. i. 396.) has perpetuated a statement, whence originating I know not, that a party, *probably* headed by Ralegh, desired to impose limitations and conditions upon James at the time of his accession; and that Cecil successfully resisted the attempt. I see no reason for believing either part of this statement.

has been variously ascribed to the representations of Cecil, and to Ralegh's enmity to Essex.* It has been said that James had a prejudice against all the enemies of Essex; that he forgave Cecil, but never Ralegh.† It is certain that he forgave Cecil, (if indeed there was any thing to forgive) but even if Ralegh had not been the known enemy of Essex, his own character in the world might have deterred James from employing him. If Cecil did aggravate the prejudice of his new master, or advise him against the employment of one who had now become his political opponent, the counsel was neither unwarranted nor unprovoked. I have already mentioned Ralegh's parliamentary opposition. Historians ‡ more partial to Ralegh than to Cecil, have taught us to believe, that Ralegh, in a memorial addressed to James, represented Cecil as the author of Essex's death, and a partaker in the execution of queen Mary. If these charges were true, the accused would be equally justified in avoiding the accuser; but we have seen that Cecil was much more innocent than Ralegh in regard to Essex: and he had not even at the close of the lengthened proceedings against Mary, any share in the administration of affairs. §

In reverting to foreign affairs, I come to another of those passages of Cecil's life of which the report of a rival and the criticisms of a foreigner, have been too

* "It is said that Cecil is doubtful as to his position; finding the king partly better informed, partly more obstinate than he thought. Cobham calls Cecil no better than a traitor. *Ralegh is hated throughout the kingdom.* The new queen is enterprising, and affairs are embroiled. I will not conceal from you, that I have acquaintance and intelligence enough to enable me to sow and cultivate dissensions, so far as your majesty may instruct me to do so — not that I advise such a course, or offer myself to conduct it, for I do not approve it. It is neither consonant to reason nor to my inclination." This is given by Von Raumer in his "History of the 16th and 17th Centuries, illustrated by original Documents," ii. 195.) as the abstract of the reports of the French ambassador Beaumont, in May 1603. Abstracts of this sort are very unsatisfactory; but I see no reason to doubt the fidelity of this, or to question the accuracy of Beaumont's statement. If the ambassador was well informed, James was not the only person who thought ill of Ralegh.

† Wilson, in Kennet.

‡ Welwood, in the Notes upon Wilson, ii. 663. from Back's manuscript, and lately Cayley, i. 355.

§ He was twenty-four years of age, but had not begun even to assist his father.

readily accepted by our popular historians. Our knowledge of the transactions of this period is almost entirely derived from the famous Sully*, at this time marquis de Rosny, who was dispatched by Henry IV., in 1603, to engage England once more in the war † from which Henry had against her remonstrances withdrawn; and to bring about a close alliance between the two crowns, and, if possible, an extensive association chiefly of protestant princes, in opposition to the house of Austria.‡

Sully brought to the English court a prejudice against Robert Cecil, and an opinion of the variable character of the English § which led him to expect some success from his own adroitness in negotiation; yet he saw, as

* Maximilian de Bethune, Duc de Sully, born 1560, died 1641.

† In the latter part of Elizabeth's reign there had been conferences between the English ambassador at Paris, and the French government respecting the renewal of the war, but there was little of eagerness or distinctness on either side. In 1601 occurred the well known conference between Elizabeth and Sully at Dover, in which the queen suggested some extensive plans for erecting independent republics of the Low Countries and Switzerland, for equalising in extent, riches, and power the great kingdoms of Europe, and for other grand objects. I have somewhere seen these cited as proofs of statesmanship in Elizabeth. To me the whole appears a solemn farce. Econ Roy. in Petitot, iv 36.

‡ See the instructions to Sully in Economies Royales, p. 261. This book consists of a narrative of events addressed to Sully by his secretaries, but it also contains many letters from Sully himself, and other original documents; from these, the Memoires de Sully, to which most writers refer, were compiled, but the original work is a much better authority, and Sully's letters to the king, written in the first person, possess also the attraction of which the writer of the memoires boasts, with the additional advantage of authenticity. The greater part of the text is taken from these letters. According to M. Levesque de la Ravaillere, the secretaries are not, in the account of the embassy to England, as he supposes them to be elsewhere, fictitious persons; I find no doubt of the authenticity of Sully's own letters. Acad des Inscriptions, xxi. 541.

§ J'ai estimé fort àpropos et trés agréable á votre Majesté que je lui répresente en peu de paroles ce que j'ai reconnu de l'humeur et du naturel de cette nation laquelle comme c'est un peuple exclu, et posé par la nature a milieu des flots ímpétueux et des ondes variables et inconstantes de ce grand océan, aussi est il merveilleusement inégal et disproportionné en ses délibérations et en luí même produisant quasí en même temps des actions taut différentes de ses paroles que si l'on étoit persuadé par l'expérience, il servit impossible de croire qu'elles procédassent toutes d'une même personne et d'un même esprit — Car etants poussés et meus d'une fierté et outrecuidance naturelle elle reçoive fucilement toutes leurs imaginations et fantaisies pour vérités et la fin de leurs désirs et affections pour certitude et évenèmens infallibles sans les avoin mesurées et balancées avec la sureté requises en icelles, l'état de choses présentes et la condition des hommes avec lesquels ils ont á traiter, et sans avoir jugé par quelles voiés et par quels chemins ils peuvent parvenir á la possession de ce qu'ils souhaitent si ardennuent, en sorte que la moindre objection ou difficulté les fait incontinent et le plus souvent sans raison pertinente, departir de ce qu'ils avoient, ce leur sembloit il si sagement et si utilement conclu et arrêté, et qui étant aprés bien epluché et examiné par des maximes d'état se réconnoit plutôt procéder d'une pure arrogance et simple nonchalance, que d'un conseil bien digéré, et sans aucun égard des moyens

every sensible man must see, that no success obtained by cleverness in diplomacy will have a permanent endurance, and he therefore wisely counselled his master to trust rather to his own resources. We shall presently see whether Sully's diplomacy furnished an exception to the general rule.

Sully tells us* that he found Cecil disposed to peace with Spain, without having sufficiently considered the effect of the abandonment of the United Provinces, and the consequent ruin of their Indian trade, and navy, and the Frenchman conceived that he was more likely to make an impression upon the king. To him, therefore, at his audience of ceremony†, he addressed a speech which his secretaries term "*une harangue de Soldat,*" and which certainly, if peculiarly characteristic of the military style, was the speech of a *French* soldier.‡ Neither in this audience nor in the first conference upon business was there much more than compliment and stag hunting, — a topic upon which the diplomatist let the king enlarge at will, while he took a survey of the court, and prepared himself for more important discussion. He soon discovered that the queen, Anne of Denmark, had a stronger mind than James, who strove in vain to

d' y parvenir ni des suites et conséquences nécessaires et inevitables en telles choses, lesquelles leur étant répresentées avec vivés démonstrations les font aussitôt incliner en partie toute contraire et comme stupides étonnés et sans aucune réplique valable, retomber en cette première irresolution de laquelle ils estimoit s'être si courageusement développés. Toutes ces considerations, Sire, font que je ne désespère pas entiérement de pouvoir traiter et concluse choses aucunement conformes à vos désirs utiles a votre service, et au salut et repos général de la France, mais bien me donnent cráinse de vous pouvoir conseiller de fairé un solide fondement sur telles amitié et y bastir votre grandeur et la sureté de votre état, prevoyant et conjectu-

selon que le temps et les occasions le requerront, ils ne nous échappent derechef facilement, se laissant toujours aller aux dernières persuasions et déférer aux objections et remonstrances qui leur seront faites par celles qui désirent les disposer à notre domunage si me fois ils peuvent haut gagner sur eux que de se faire écouter souvent et paisiblement."—Sully to the King, 20th June, 1603. Œcon. Roy. p. 305.

* P. 316.

† At Greenwich, June. Œcon. p. 340.

‡ P. 324. This speech, "which pedants found too short," laments the absence of the more than human eloquence which was necessary to describe Henry IV., and the inability to do justice to the memorable virtues of James. The soldier-like speaker was therefore obliged to confine himself to designating the two kings as the wonder of kings in all ages.

control her; and that Cecil* had separated himself from his old friends, and had united himself to the two Scottish factions of Lenox and Mar; their jealousies, as well as those of the king and queen, gave him great embarrassment, and Sully held it to be impossible even for Cecil, with all his ability, subtlety, and artifice to keep down these intrigues. The Scots, however, were now willing to be friends with him, in order to profit by his knowledge of English affairs. But on the other hand an English party, composed chiefly of Southampton, Mountjoy, and other friends of Essex, began to have credit with the king. To all these difficulties was added that of the malcontents, who continued to increase in numbers, and at the head of whom Sully placed Northumberland, Cobham, and Ralegh, "des plus brouillons, artificieux et inventifs d'Angleterre †;" all of these came to the French ambassador ‡ with stories of courtly schemes for espousing the interest of Spain against those of France and projects among discontented French noblemen for raising up independent states in Poitiers, Guienne and other provinces of France. Sully gave little credit to these stories, nor did they deserve any, but they serve to display the intriguing spirit of the *triplicity*. Some of Sully's notions as to the politics of the English court may perhaps be deemed fanciful. The English king he thought, in opposition to an opinion now received, hated Spain and the Spaniards, the Romish church, and the Jesuits, but was ardently desirous of re-establishing the ancient house of Burgundy, independently of Spain and Austria. Among his counsellors, Mar, Mountjoy, Erskine, Kinloss, and others, who were about the king's person looked only to the promotion of his greatness, and the acquisition of his favour, with a *penchant* towards France. The Howards, Hume, the chancellor Ellesmere §, and the

* "Par une prudence, laquelle ne se trouvera pas, ce dit-on, bien compassée en toutes ses parties. London, 24th June, 1603. p. 351.
† P. 358.
‡ Letter of 25th June, p. 355.
§ Sir Thomas Egerton.

treasurer Buckhurst*, with Cecil himself, were of *the old English humour*, that is, enemies of France, not partial to Spain, and absolutely bent upon restoring the house of Burgundy. Northumberland and Northampton, with Cobham and Ralegh and others, composed a third party, desirous of change every where, and constantly struggling among themselves for the supremacy, which it was generally supposed the lawyers and men of letters would obtain.

I am at a loss to understand this project for resuscitating the house or kingdom of Burgundy.† Extensive projects were not in Cecil's line; the king himself was, perhaps, still less unlikely to entertain one, though very little likely to pursue it with ardour; but of this Burgundian scheme I find no trace, except in these letters of Sully, nor does he give any intelligible explanation of it.‡

In a second audience, the French ambassador proposed that the two kings should, if James desired it make a joint peace with Spain, in order to gain time and rest, with a view to establishing hereafter in the Low Countries a province or a government that should be agreeable to them both: continuing, it would appear, to give secret aid to the Hollanders, so as to prevent their being overrun by Spain. "Why then should we do other," said James in effect, "than bring about a peace between Spain and her provinces, and be ourselves the guarantees of it.§ Although Sully professes to have satisfied the

* Thomas Sackville, ancestor of the duke of Dorset.

† The ancient kingdom of Burgundy comprised modern Burgundy Franche Comté, the Valais, and the Lyonnais, as well as Switzerland and Savoy; and at one time extended into Provence.

‡ Though I have taken pains to collate the *Economies* with the *Memoires* I can hardly feel confident of accuracy when I see how much of the latter is not borne out by the former. In the enumeration of factions, the *Memoires* add to the mention of Cecil, "du moins autant qu'on le pouvoit conjecturer d'un homme qui étoit tout mystere: car il se séparait des uns, et des autres, ou il se réunissait à eux, selon qu'il le jugeoit à propos pour l'intérêt de ses affaires particulières." Many other observations given as Sully's, I cannot find in his letters. There is a curious specimen of the misrepresentation of England by a foreigner, in the Notes to the letters of Cardinal D'Ossât by that laborious editor of diplomatic records, Amelot de la Houssaye. It is said that Cecil had been a protestant, a calvinist under Edward VI., a Romanist under Mary, and protestant again under Elizabeth. Edward and Mary were both dead before Cecil was born!

§ P. 365.

king, that the ill faith of the Spaniards would defeat the object of this proposition, it really was wiser and more honest than that which the French diplomatist proposed.*

It was in this state of his discussion with James, that Sully had a conference by the king's order, with the lord admiral Howard, lord Northumberland, lord Mar, lord Mountjoy, and lord Cecil† who was the spokesman. There was a little fencing to avoid the first word; and Sully pretended that an unfair advantage was taken of his faintness, when the English deputies called upon him to say what course would be the best for the two kings to take, especially for the recovery of Ostend from the Spaniards: Cecil without more words told Sully that the English government would not be persuaded to continue the war, without France; that peace would be very convenient to them, but that the Hollanders had represented so urgently that it would be their ruin, that although the expenses incident to the accession of the king‡ would make it impossible to undertake any operation in the present year, they would endeavour to cooperate with France in the next, but proposed that in the mean time France should undertake the recovery of Ostend. This part of the suggestion Sully declined, hinting that if his master acted singly, he would possibly require some separate acquisition. The English now broke up the conference, professing themselves unprepared for my final resolution.

There was still less of result from a conference which Cecil now had with count Aremberg, the representative of the Spanish Netherlands, who told him that he was only used to war, and came merely to know what James's designs were, that *a man of letters* might be sent to

* According to the Memoires (vi. 362 of edit. 1767), James avowed in this audience a difference with his ministers as to the relations of England with France and Spain. I find nothing of this in the Economies, pp. 360—368, which clearly narrate the same audience.

† P 371.

‡ It astonishes us who are accustomed to the modern scale of war expenditure, that he mentioned the expenses of the queen's funeral, the reception, and the coronation of the king, and the reception and mission of ambassadors.

treat of them. From this coldness on the part of the archduke towards England, Sully expected from Cecil greater frankness in treating with *him;* but still he apprehended that it would be rather in appearance than reality, especially in one "who never did any business thoroughly, but always kept something for a *bonne bouche,* which undid all that one thought one had well concluded before."* The practice which Sully here imputes to Cecil as a fault, has been generally thought, except perhaps by sir William Temple, essential to diplomacy.

According to the French ambassador, Cecil would not visit Aremberg, unless accompanied by lord Kinloss, a caution which Sully ascribes to his diffidence of his own position, and the fear of misrepresentation by his enemies†; this may have been the motive of Cecil, but it might perhaps be accounted for by the want of boldness, which is everywhere to be traced in his political conduct.

The ministers of James, and it may be said the affairs of England might now have been embarrassed by the imprudence of the king, who entertaining Sully, and Beaumont, the ordinary French ambassador, at his own dinner table, adverted without preface or ceremony to the project of a double marriage between the royal families of France and England. The project was in Henry's instructions to his ambassador, in contemplation of a joint and open war with Spain; but it would appear that Sully had not mentioned it to James, and he insinuates that it would not have been mentioned if his Britannic majesty had put water into his wine.‡

I know not whether it is to this dinner that the earl of Worcester § alludes, in a letter containing unfortunately the only report we have from an Englishman of

* P. 377.

† Sully's of 30th June, p. 376.

‡ P. 381. Miss Aikin (James I 135.) treats this project as entirely the scheme of the English king, but it is clearly stated in the Instructions, (Econ. Roy. p. 279) and I rather suspect, that although Sully in writing to his court, puts a different face upon the affair, he really had thrown it out to James as a bait.

§ Edward Somerset, first earl, ancestor of the duke of Beaufort.

what passed in Sully's embassy. This slight notice confirms, so far as it goes, the suspicion which we may reasonably entertain, that if we could have Cecil's report of the conferences, the superiority of the Frenchman in cleverness and straightforwardness might not be so apparent. "This day M. Rosny dined with the king in state, and the French ambassador Leger*, and meaneth very shortly to take his leave. He would fain have concluded a firm amity with our master, but *playeth the fencer, and will make no proposition at all;* we, on the other side, very willing to embrace friendship and hold correspondence with his master, but keep close within bounds until we discover their ends: what the conclusion will be the end must discover.†

At the next conference the deputies of the States were present. Barneveldt, the chief of them, having in the meantime apprised Sully that Cecil did not conceal the intention to make peace with Spain, retaining nevertheless, the cautionary towns, for the payment of the debt. In this event, the Dutchman avowed an intention to obtain the towns by force, and solicited the aid of the French ambassador, who made only a general reply.

Cecil, however, came to this conference, prepared to concert with the French a scheme of secret assistance to the united provinces, professing at the same time, that though his master was willing to save the states, he would not ruin himself for them, and therefore made the repayment of Henry's debt a condition of the proposed co-operation. To this proposal, Sully made objections more earnest than reasonable, while Cecil declared that England could employ no other funds. Hereupon the English secretary, according to the representation of the Frenchman, began, — "as it was his custom to play a part of subtlety, and to turn every thing to advantage; endeavoured to make the Dutch and French ministers confess that they had said things of which they had never thought, and appeared very

* Beaumont the ordinary ambassador.
† To lord Shrewsbury, June 19, 1603. Lodge iii. 166.

happy* when by the confused and embarrassed terms which he used, he had brought the matter to such a point that nobody knew what to understand."

I suspect that the mystification was in Sully himself, who follows up this narrative, which, be it always observed, is *his* narrative only, by a correct statement of the position of affairs. "Your majesty," he writes to Henry IV., "will not carry on war, without the English — and the English cannot carry it on without payment from you, and from the States, and this payment neither you nor they can make." This is plain enough, but it is possible that James, talked over by the French *diplomate*, had given instructions to his ministers more favourable to Sully's objects than his own peacefulness and poverty allowed: his minister might be glad to see the impracticability of his master's views exposed upon discussion.

But the persevering Sully, obtaining a fresh audience of the king himself, recovered more than the ground he had lost, and succeeded in persuading James that his ministers had not acted up to the avowed intentions of their master. Having exacted from the weak monarch an oath of secrecy†, he pretended that he preferred the cause of the protestant church even to his king, his fortune, his wife, his children, and all other human considerations, and having found that the Austrian and other catholic princes were bent upon the destruction of whatever was opposed to Romanism, proposed as from himself (though it was in truth in conformity with his instructions)‡ a league offensive and defensive between

* Montroit une allegresse fort grande, p. 182. In the first volume of our Foreign Statesmen, p. 241., this is erroneously translated, *it produced much gaiety* — it is clearly Cecil who was glad.

† This scarcely credible fact is affirmed by the writers of the Econ. Roy., 401. In Sully's letter to the king, which follows, the suggestion of a league is mentioned, and Sully's avowal of devotion to the protestant cause, but not James's oath. On the contrary, it would seem that the king made Sully swear that he would not mention, except to his own master, what passed at this memorable conference. See p. 425.

‡ Perhaps not exactly conformable. In these instructions (Econ. Roy. p. 290.), the project includes "*même le pape*," and has less of a protestant, and more of a spoliative character. But Sully was especially instructed to make these suggestions as from himself, pretending that he should not submit them to his master, until approved by England and the States; — and this is the man so indignant at the subtleties of Robert Cecil!

France, England, and the States, in which all protestant princes, and enemies of the house of Austria, should be included. James listened with great approbation to all this, which was developed at great length, and when the Frenchman assured him that the debt should be put in a train of liquidation, was so entirely pleased, that, embracing the ambassador, he offered to join with Henry in signing a treaty to be prepared by Sully and himself. This was immediately done; James then called in his counsellors, and ordered Cecil without any reply or dispute "to prepare the necessary writings," and left Sully in high glee, and his ministers in dudgeon.*

The French ambassador left England soon afterwards, but not before he had obtained an oath from James † that he would put his signature to a formal treaty conformable to the preliminaries agreed upon with Sully. ‡

* Sully to Henry IV. 10th of July, 1603. p. 421.

† So say the secretaries, v. 9.

‡ By these preliminaries, it was agreed (Œcon. Roy. p. 21.) that the ancient treaties between France and Scotland, and the treaties between France and queen Elizabeth, should be renewed; that a defensive league should be made between France and England, and their allies, especially the United Provinces; and that the two kings should procure from the king of Spain, and the archdukes, that they should leave these provinces in repose, or at least acknowledge them to be their subjects, or those of the empire, upon such reasonable conditions that they should not become subject to an absolute domination; and as the Spaniards may protract the negotiation to be begun with this view, the two kings will assist the United Provinces with a good sum of money, and with a sufficient number of soldiers, to be raised in the dominions of the king of England, but paid and maintained by France, who shall supply the Hollanders with the necessary sums; one half being furnished by France on her own account, and the other taken in discharge of so much of the French king's debt to England: all this to be done secretly, so as not to disturb the peace subsisting between France and Spain, or that which England, in imitation of France, may make with Spain. But if England should in consequence, be attacked by Spain, France shall assist her with a force of not less than 6000 men, paid by herself, and shall then pay off the remainder of her debt in four yearly instalments. If France shall be attacked, England shall assist her with a similar force, and the payment of the debt shall be suspended. If both should be attacked, or should agree to make open war upon Spain, France shall defend the Low Countries with 20,000 men, and a sufficient force into her southern provinces; and shall also send a fleet of gallies to the Levant, by way of diversion. England shall send two powerful fleets to the Indies, and to the coasts of Spain; and shall employ a land force of not less than 6000 men, without demanding payment of the debt. Neither king shall make peace without the other, "ni aucun des deux rois puisse faire paix, amoindre les forces cy-dessus, ni se départir des actes d'hostilité que par le consentement mutuel l'un de l'autre

After the departure of the ambassador extraordinary, Beaumont resumed his functions, and his reports although full of exaggerated praises of Sully, prove that, even in his opinion, the lessons of that able minister had taken but a slender root in the mind of James, who, having a natural desire for peace, already, as Beaumont informs Henry IV. began to listen to the specious offers of the Spanish ambassador. One topic of Beaumont's commendation is, Sully's boldness in laying before king James himself his complaints of the English ministers, and his cleverness in putting down, by prompt and plain arguments, the subtleties and sophistry of Cecil in particular, who, thus beaten as he was, acknowledged his rival to be the greatest statesman in Europe. What really passed between Sully and James, or his ministers, we have not the means of knowing, for implicit reliance cannot justly be placed upon the reports of that *diplomate* himself, or his admiring colleague *; but I confess that I cannot set a high value upon diplomatic ability. the effect of which disappears so soon as the diplomatist departs.

According to M. Beaumont†, (for Sully's own reports are not so particular), "Cecil sometimes finding himself defeated by M. Rosny, endeavoured to puzzle him, and put him out of temper, by proposing things which were quite out of the question; and he gave to the king a false report of what had passed in the negotiation in order to divert him from that which he had agreed upon with Sully, who was so far from being moved to anger by the absurd propositions of Cecil, as that minister probably desired, that he always made light of them,

dont il sera passé instrument public et authentic, lors du renouvellement de l'alliance, pour ce qui touche la ligue défensive, et pour l'offensive, des promesses secrettes et réciproques "

* Lingard is more credulous. He says (ix. 10.), "Sully taught the king to mistrust the fidelity of his own counsellors, &c. Cecil was openly charged with duplicity." Yet it seems that in a few weeks Cecil had "entire possession of king James." We have only Sully's boast for believing he ever lost it.

† To Henry IV. Econ. Roy. v. 15. *no date.*

and so well represented the truth to the king, that he would only abide by what had passed by word of mouth with the marquis, and reproached Cecil in the presence of the ambassador, with having misrepresented many things which he had said with much apparent sincerity and affection. Yet, even at the moment, this ardent admirer of Sully's diplomatic powers disputed their efficacy, for he only deduced from all this success, that something might have been done, if Sully had had full powers, which might be difficult at another time, and in other hands. And he very soon apprised Sully, that although the English minister interposed delays and artifices, and London rang with his praises at the expense of Cecil*, that minister and his Scottish allies had entire possession of king James, and Cecil himself managed him as he pleased; so that it became advisable for the king of France to assure the English secretary in a letter from himself, that Sully had made a satisfactory report of the good understanding that had existed between them. I know not whether this letter was written, but when full powers came to Beaumont, the treaty was executed without the expected opposition either from Cecil or the queen†; and presents were distributed to the amount of sixty thousand crowns, of which Cecil's share consisted of three dozen buttons of gold, enriched with diamonds. After all, the truth is that the engagements into which James entered by this treaty were very general, and really bound England to nothing, which it had not always been Cecil's policy to do; that is, to prevent the United Provinces from falling absolutely under the dominion of Spain. Of any armament to be sent from England with this object, France was to defray the expense; and England took care that in the event of a joint war, her fleets should be specially employed in furtherance of her own commercial and maritime interests.‡ The count of Soissons, Sully's enemy at the court of France, was perhaps not

* P. 35. † P. 49.
‡ 30th of July, 1603. Dumont, v. pt. 2. p. 30.

very far wrong when he depreciated the success of the ambassador, and called his treaty "nothing more than a project of hopes and fair words, without any certainty that they will ever be executed."*

It has been necessary to pursue Sully's history of this treaty, because a great portion of the merit which he assumes to himself rests upon his triumph over Cecil, and the destruction of James's confidence in his minister. But, in comparing the new stipulations with Cecil's language, as reported by Sully himself, I am inclined to ascribe the boast of the French negotiator to that habit of "exaggerating the worth of his own actions, and lessening that of others," to which, according to Henry himself†, this celebrated statesman was addicted. Nor is there much doubt but that his picture of James's reproof of Cecil is overcharged. No mention is made in any known correspondence of the period, of this singular occurrence, at which some of Cecil's enemies are said to have been present; nor is there evidence of any diminution of confidence at this time between the king and his minister, on whom he shortly afterwards conferred new honours: for, on the 13th of May, 1603, Cecil was created viscount Cranborne, and, on the 4th of May 1605, earl of Salisbury, by a patent which enumerated "his faithfulness, circumspection, stoutness, wisdom, dexterity, providence, and care, not only in the great and weighty affairs of council, but also in all other expeditions of the realm."‡

At this time, the king wrote to Cecil in terms of much familiarity. "My little Beagle," he says in a letter of August 5, probably 1603, "ye and your fellows there are so proud now that ye have gotten again the guiding of a feminine court in the old fashion, as I know not how to deal with you. Ye sit at your ease, and direct all the news from all parts of the world comes to you in your

* Sully, v. 28. † Biog. Dict. xxiii. 22. ‡ Sidney Papers, ii. 235.

chamber. The king's own resolutions depend upon your posting despatches; and, when ye list, ye can (sitting on your bedsides), with one call, or whistling in your fist, make him to post night and day till he come to your presence. Well I know Suffolk is married, and hath also his hands full, in harbouring that great little proud man that comes in his chair. But for your part, Master 10 (Cecil), who is wanton and wifeless, I cannot but be jealous of your greatness with my wife; for, besides, that the very number of 3 (lord Henry Howard) is well liked of by women, his face is so amiable, as it is able to entice, and his fortune hath ever been to be great with she-saints. But his part is foul in this, that, never having taken a wife to himself in his youth, he cannot now be content, with his grey hairs, to forbear another man's wife. But for expiation of this sin, I hope that ye have all three, with the rest of your society, taken this day a cup of thankfulness for the occasion, which fell out at a time when he durst not avow me: and here hath been this day kept the feast of king James's delivery at St. John Stone, in St. John's House. All other matters I refer to the old knave, the bearer's report: and so fare ye well. JAMES R."*

What James says here of Cecil's attention to queen Anne is mere banter; but it appears that the little deformed man had favourites of the fair sex. In the lady Anne Clifford's† lively account of the queen's progress to London, in which she staid for a short time at Dingley's, sir Thomas Griffin's, she says, that thither came my lady of Suffolk ‡, my young lady Derby, and my lady Walsingham §, which three ladies were the great favourites of sir Robert Cecil." I am

* Nicholls's Progresses, ii. 203.

† Daughter of George, earl of Cumberland, and afterwards countess successively of Dorset and Pembroke. Nicholls. i. 78. 174.

‡ Daughter of sir Thomas Knevit of Charlton, widow of lord Rich, and wife of Thomas Howard, first earl of Suffolk.—Collins, iii. 153.

§ Elizabeth, daughter of sir T. Manhood, wife of sir Thomas Walsingham, of Scadbury, in Kent.

a little puzzled by this union of names: for the young lady Derby, I think, must have been Cecil's niece, the daughter of his sister, lady Oxford.* The other ladies, I fear, had more celebrity than character: lady Walsingham, in particular, is supposed to have been a special favourite with the secretary.

The party of the malcontents, whose existence appears to have been notorious, now plotted one of the wildest schemes of treason which the seventeenth century produced. Historians have not satisfied themselves of the real character of the mysterious and ill-devised plots, of which Arabella Stuart and the Infanta of Spain, catholic ascendency and puritan toleration, were the curiously mingled objects†; nor can I elucidate what others have left in darkness. Our present inquiry is, whether Cecil was justified in the share which he had in the conduct of the proceedings against Ralegh, who was accused of participating in this insane proceeding.

It appears to have been by Cecil that Ralegh was first subjected to examination. The minister had been informed of a plot for surprising the king's person, in which George Brooke, the brother of Cobham was concerned.‡ Ralegh's habitual connection with Cobham, coupled with his own discontent, involved him in suspicion; and Cecil, meeting him on the terrace at Windsor, summoned him before the council. Either at this

* Frances, wife of Edmund Vere, seventeenth earl, whose daughter Elizabeth married William, sixth earl of Derby. I cannot make out a date for the following anecdote: — "Lady Derby wore about her neck, and in her bosom, a portrait; the queen espying it, inquired about it, but her ladyship was anxious to conceal it. The queen insisted upon having it; and discovering it to be the portrait of young Cecil, she snatched it away, and tying it upon her shoe, walked along with it; afterwards, she pinned it upon her elbow, and wore it some time there. Secretary Cecil hearing of this, composed some verses, and got them set to music; this music, the queen insisted upon hearing. In his verses, Cecil sang that he repined not, though her majesty was pleased to grace others, he contented himself with the favour she had given him, by wearing his portrait at her feet, and on her elbow." — "*D'Israeli's Curiosities of Literature*, ii. 21.

† See Carte's History of England, iii. 717.; see also Lingard, ix. 14. Jardine, 391.

‡ This plot was called the "Surprising Treason," or the "Bye."

or at a subsequent examination, Ralegh confessed*, that Cobham had offered him 10,000 crowns, "which he was to have for the furtherance of the peace between England and Spain, — a measure of which he was the avowed opponent. By his own account Ralegh treated this offer with levity. Shortly afterwards, Ralegh, of his own accord, told the lords of the council, that he suspected that Cobham had conference with Aremberg †, the ambassador of the Austrian archduke. ‡ The ground of this suspicion was, that he had observed Cobham go frequently to the house of Lawrency, a follower of Aremberg. Being asked by lord Cecil his opinion of Lawrency, he answered, "If you do not apprehend Lawrency, it is dangerous, he will fly; if you do apprehend him, you shall give my lord Cobham notice thereof." § This hint of the danger of letting Lawrency escape, or of advertising Cobham of his apprehension, fully justified the conclusion of the king's government, that with the knowledge or in the opinion of Ralegh, something wrong was going on with the Austrian minister. The committal to prison, which thereupon occurred, would, even in these times, be the natural course. While they were both in the Tower, Ralegh contrived to send a letter to Cobham by captain Keymis, acquainting him, that "he had been examined, and had cleared himself of all." Keymis added, according to Cobham, that Cobham "might be of good comfort, for one witness could not condemn a man for treason."

* State Trials, ii. 17. Jardine, 425.

† Jardine, 412. 416. Ralegh afterwards put a lighter colour upon this offer. "It is true my lord Cobham had speech with me about the money, and made me an offer. But how and when? voluntarily, one day at dinner, sometime before count Aremberg's coming over: for he and I being at his own board, arguing and speaking violently, he for the peace, and I against the peace, the lord Cobham told me, that when count Aremberg came, he would yield such strong arguments for the peace, as would satisfy any man; and withal (as his fashion is to utter things easily), what great sums of money would be given to some counsellors for making the peace, and named *the lord Cecil, and the earl of Mar*. I answering, bade him make no such offer unto *them*, for by God, they would hate him, if he did offer it." P. 426.

‡ This plot, whatever it was in which Aremberg was concerned, was styled the "Main;" it was only in this that Ralegh was said to be implicated.

§ This is from Ralegh's own statement. Jardine, 412.

Ralegh disavowed at the trial this verbal addition* ; but it was a part of the information given to the minister. Cobham afterwards confessed, "that he intended to go to Flanders and to Spain, to deal with the king for the 600,000 crowns, and to return by Jersey; and that nothing should be done until he had spoken with sir Walter Ralegh for the distribution of the money to them which were discontented in England. Then, when Ralegh's letter was shown to him, he broke out into exclamations against Ralegh, calling him villain and traitor, and saying that he would now tell all the truth, that he had never entered into these courses, but by his instigation, and that he would never let him alone. Beside, he spoke of plots and invasions of the particulars whereof he could give no account, though Ralegh and he had conferred of them."† This accusation, on an application made privately to him from Ralegh, he afterwards retracted‡ ; but he did not retract the confession of his own mal-practices.

His brother Brooke confessed that "there had letters passed between Cobham and Aremberg, for a great sum of money, to assist a second action for the surprising of his majesty;" and is said to have expressed his belief, that what was known to Cobham was known to Ralegh.§

If we may give credit to M. Beaumont, the French ambassador, Ralegh as well as Cobham had made treasonable, or at least corrupt overtures, to him and his predecessor Sully; and the existence of a plot favoured by the court of Spain, was made known to James by the king of Denmark.||

* Jardine, 433. Tytler describes this letter, by Keymis, as purporting, "that Ralegh had cleared him (Cobham) of all suspicion." If such was the tenor of the letter, it furnished a very strong suspicion against Ralegh himself, whose own participation is thus acknowledged. Coke (Trial 389.) cites the words thus:—"I have been examined of you, and confessed nothing." See sir Toby Matthew's Collection, p. 281.

† Jardine, 411.

[illegible]

mentioned that Mrs. Thomson gives this instant retractation as a fact, and refers to the trial for the proof. The fact rests on the assertion of the accused.

§ Sir W. Wade's letter, August 3. 1603, in Thomson, p. 488.

|| See Beaumont's Despatches, as quoted by Carte, iii. 718. 721.

These despatches from the French ambassador, who held that Ralegh was "justly though not legally condemned," clearly show that the plot was not an artifice, or a fancy of the ministers. I do not know how far a presumption of Ralegh's guilt may be deduced from a fact mentioned in Beaumont's letter, and confirmed by his journal quoted by Cayley, sir Walter while in the Tower, attempted to stab himself with a knife.

The apprehension of Ralegh, with the other accused persons, was reported by Cecil to the English ministers abroad, in terms consistent with the account which I have here given.* Cecil also gave the account which follows to sir Ralph Winwood, ambassador at the Hague: "In the second," that is the treasonable dealings with Spain, "the lord Cobham confessed himself guilty, and so doth his brother Mr. George Brooke; but sir Walter Ralegh yet persists in denial of the main treasons, which though he doth, by having gotten some intelligence of the lord Cobham's retractation, yet the first accusation is so well fortified, with other demonstrative circumstances, and the retractation so blemished by the discovery of that intelligence which they had, as few men can conceive it comes from a clear heart. Always he shall be left to the law, which is the right all men are born unto."†

The view which Cecil here takes of the effect of the presumptive evidence against Ralegh, is not unreasonable. It was indeed difficult to believe that his denial of guilt came from a clear heart. The whole transaction was enveloped in mystery. Practices, which if not treasonable, approached very nearly to treason, and especially a treaty for receiving money from an enemy, to be distributed in England, had been acknowledged, and the confession agreed with information received from foreign powers. Those concerned in these practices were the associates of Ralegh, who acknowledged that money to be procured from this enemy, had been

* See Cecil's Letter to sir Thomas Parry. — Cayley, i. 360.
† 3d October, 1603. Winwood, ii. 6.

offered to him by one of the parties. He had himself discovered to the government, the dealings of this person with the agent of that enemy; and this same person had at one time averred, that Ralegh had been his instigator to these courses.

Was it possible for the government of James, would it be possible for any government, wishing to maintain itself, to permit a man in Ralegh's then circumstances, to go not only unpunished, but untried. In these days indeed, no man so situated would be self-contented, or retain his place in society, without a judicial investigation of his conduct.

Yet Cecil has been subjected to censure*, of great and unaccountable severity for doubting Ralegh's innocence, and for putting him upon his trial. No part of the conduct of Cecil has been more censured, than the exhibition to Cobham of the letter in which Ralegh mentioned the dealings with Aremberg. I know not wherein consists the impropriety of this proceeding. I have not a sufficient acquaintance with legal practice to enable me to pronounce whether it was consistent with modern rules; but it appears to me, that modern practice is chiefly defective in the extreme reserve which it prescribes in communications to or from the prisoner. Yet even at this day, I apprehend it would be quite within rule, to communicate to a prisoner a document wherein the offences of which he is suspected are set forth by a supposed accomplice. And if this communication should produce confession and recrimination,

* Especially by the most recent of his biographers, Mrs. Thomson and Mr. Tytler. The speculations of the latter (as noticed in the 8th vol. of Fraser's Magazine) are too wild, and supported by too many misrepresentations and misquotations, to require detailed notice. The character of Mrs. Thomson's may be collected from one specimen. Cecil is blamed for using the expressions quoted in the text, in his letter to Winwood, as to Ralegh's presumed guilt, "*after Ralegh's asseverations of innocence*," according to this lady, a prisoner's plea of "not guilty" ought to be tantamount to an acquittal! Mr. Jardine says, "In the evidence produced on the trial, there is sufficient matter to excite a suspicion that Ralegh was implicated in a treasonable conspiracy." This is enough to justify the putting him on his trial, although there is no part of the evidence so substantial and free from objection as to form a reasonable ground for a confident opinion. P 396

the ends of public justice would be the better accomplished.

This exhibition of the letter, has been treated as a cunning device to obtain a crimination of Ralegh, but surely its object was to procure *a confession from Cobham.* The accusation of the accomplice was a consequence which no sagacity could foresee.* Not Ralegh but Cobham was the person injured, if injury there was.

Some time previously to the trial, Ralegh again asserted his innocence, in a letter † addressed to Cecil, with lords Nottingham‡, Suffolk §, and Devonshire.|| He affirmed that he had not suspected that the mony offered to him was intended for the purpose of surprising the king. He denied all knowledge of Cobham's intended journey to Spain. "By what means that revengeful accusation was stirred, you" he said, "my lord Cecil knew right well that it was my letter about Keymis." He certainly refers to the letter shown to Cobham. The designation of it as the "letter about Keymis" is unintelligible, but might perhaps be explained if the whole letter were in our hands.

There is nothing else remarkable in this letter, except the apparent consciousness of weighty presumptions against him, and the appeals to *mercy* which pervade this address, and still more a letter ¶ addressed to the king. That Ralegh's innocence was certain appears not to have been the opinion of any one contemporary; that it was manifest appears scarcely to have been his own.

It is impossible to peruse, even without the strict notions of a modern lawyer, the proceedings upon Ralegh's trial, without deciding that he was condemned

* Not only Tytler (p. 292.), but Cayley (ii. 27.) has supported this representation of the "device" used, by the authority of a contemporary writer whose statement is quite otherwise. "By a device," says the writer of a letter, in sir Toby Matthews's collection (p. 281.) *Cobham*, was brought to think that Ralegh had accused *him.*"

† Cayley, i. 367.

‡ Charles Howard, lord Howard of Effingham, who commanded against the Armada.

§ Thomas Howard, lord Howard de Walden, and first earl of Suffolk.

|| Charles Blount, lord Mountjoy, lately created earl of Devonshire, while the patent preserving that title in the Courtenays was dormant.

¶ P. 372.

upon insufficient evidence. Robert Cecil sat as one of his judges, and must consequently share in the blame which attaches to the irregular and illiberal treatment of the accused; by which, no doubt, the jury were influenced in their verdict. But the part which Cecil himself took in the proceedings was, in almost every instance, favourable to the prisoner. Personal demeanour is assuredly matter upon which contemporary evidence has peculiar weight. In the letter from a member of parliament preserved by Sir Toby Matthews, his behaviour * is contrasted with that of Coke, the attorney-general, whose conduct was utterly disgraceful to him, as a lawyer or a gentleman.

On more than one occasion, Cecil interfered to protect † the prisoner against the interruptions and vituperations of Coke; so much so indeed, as to cause the attorney-general to "sit down in a chafe." ‡

The narrative which the secretary gave from the bench, of his share in the apprehension and examintion, is quite fair and correct; nor was any part of it impugned by Ralegh. One of the charges against sir Walter, was the giving to Cobham Persons's book against the king's succession. He affirmed that he took it out of Cecil's library. This Cecil confirmed, alleging as a reason for its being found there, that it was necessary for privy counsellors to keep such books.

Ralegh adopted the same defence for himself, and when Coke told him in a taunting reply, that he was no privy counsellor, lord Salisbury protected him by the observation, that though he was not a sworn counsellor, yet he had been called to consultation. §

Thus far all was favourable to Ralegh; but the most important point was the request of Ralegh that Cobham

* The lord Cecil carried himself favourably towards him that day, the attorney-general most insolently. Sir Toby Matthews, p. 279.

† Cayley, 415. 418. 425. S. T. ii. 8. 17, 18. 21. 26.

‡ Jardine, 443. Again in p. 447-8, Coke objected to hearing Cobham's second letter, Cecil advised that it should be heard. "My Lord Cecil," said Coke, "mar not a good cause." "Mr. Attorney," replied Cecil, "you are more peremptory than honest, you must not come here to show me what to do.

§ Jardine, p. 431.

might be confronted with him. This request was at Cecil's suggestion referred to the judges, in whose decision against the production of Cobham Cecil undoubtedly showed no indisposition to acquiesce. At this day, I cannot hesitate in declaring that justice was not done to Ralegh, when he had not the opportunity of cross-examining his accuser. But I do not believe that the practice of the courts of justice, previous to the seventeenth century, had been such as to require the judges to insist upon the examination of Cobham. According to a very learned and candid historian*, "to be confronted with the witnesses, was in that age (he is speaking of the reign of Edward VI.) a favour rarely granted to state criminals." It had been denied to the protector Somerset, whose brother had not even been heard in his own defence. It could not reasonably be expected that Cecil should propose to overrule the decision of the judges.

While I think that it was the duty of Cecil, as a minister, to put Ralegh upon his trial, and that there is no ground for imputing to him harshness in the conduct of it, I cannot admit that he ought to have been deterred from the performance of this duty by any recollections of former intimacy. There never did exist, nor did Cecil at any time affect, that feeling of perfect confidence which makes it impossible for one friend to believe any evil of another. There was nothing in Ralegh's character, which made it impossible that he should be concerned in a wild political enterprise, or that he should accept money from a foreign power. Cecil was, I suspect, in the state of belief in which we may reasonably be at this moment: he saw in the whole affair an unintelligible mystery; it appeared to him "that dangerous designs had been entertained," and that Ralegh was involved in them: of the extent of his guilty participation, he could form no decided opinion.

Ralegh, though not his friend, could scarcely now be deemed his rival; there is no reasonable ground for

* Hallam's Const. Hist. i. 54.

charging him with a systematic plan for bringing Ralegh to the block; there is, on the other, none for believing that he was eagerly anxious to save him.

Some stress has been laid * upon a remark by the French ambassador, that Cecil, in the prosecution of Ralegh, "acted with a heat more suitable to his own interests and passions, than to a becoming zeal for the good of the realm." † This opinion given on the first discovery of the plot has no reference to what passed on the trial: nor is it, as the opinion of a foreigner always hostile to the English minister, entitled to much weight.

That which appears to me most objectionable in Cecil's behaviour on the trial is his continued expression of regret and reluctance, and even of affection for Ralegh ‡: without agreeing with the vituperators of Cecil, that this was altogether affectation, I acknowledge that it was the part of a courtier, and greatly overacted. Had it been coupled, as his enemies pretend, with active hostility towards its object, it would have been wickedly disgraceful; united as I believe it to have been, with a passive acquiescence in the judgment against him, it is distasteful to a manly mind.

Cecil's demeanour at the trial, as well as his station in the council, would entitle him to a full share of the credit which may belong to those who advised James to spare the life of Ralegh §; but we have his assurance ‖ that neither he nor any other of James's counsellors had

* Thomson.

† Beaumont. Desp. July 23. 28. 30.; in Carte, iii. 719.

‡ "I am in great dispute with myself to speak in the case of this gentleman; a former dearness between me and him, tied so firm a knot of my conceit of his virtues, now broken by a discovery of his imperfections. I protest, did I serve a king, that I knew would be displeased with me for speaking in this case, I would speak, whatever came of it; but seeing he is compacted of piety and justice, and one that will not mislike of any man for speaking the truth, I will answer your question." State Tr. ii. (Cayley i. 397.) "I would have trusted sir Walter Ralegh as soon as any man; though since for some infirmities the bands of my affection have been broken, and yet reserving my duty to the king my master, which I can by no means dispense with, by God, I love him, and have a great conflict with myself." (Cayley, 414.) Excepting your faults (I call them no worse) by God I am your friend." Cayley, 421.

§ Mrs. Thomson says, p. 293., that the Lords of the Council with one accord, urged James to show mercy, but she gives no authority.

‖ Winwood, ii. 10. 12th December, 1603.

any share in this act of comparative mercy. According to his own account, which is consistent with the practice of those days, though it would be quite incredible under the present system, this question of life and death was resolved by the king alone; and the warrant to stay execution was sent to the sheriff of Hampshire from the king's bedchamber, not from the secretary's office. *

This fact gives a greater air of sincerity to the answer which would otherwise appear evasive, returned by Cecil to lord Grey's application for his interference. "Till my lords (on whom I attend by his majesty's order) have spoken with the king, I can say no more than this, that I have neither power nor purpose to proceed in this, but by their direction, who have more judgment and longer interest in matters of justice and honour than I have."† During Ralegh's confinement in the Tower, which lasted three years after Salisbury's death, there was no intercourse between them, except that Cecil occasionally received official reports of his health. ‡ It would appear indeed that on one occasion, Ralegh was brought before Cecil, who accorded to him some further liberty in his prison. §

Within about one year after the conclusion of Sully's mission, peace was concluded between England and Spain. It is generally said that Cecil had not much share in this transaction, which has brought much obloquy upon the reign of James; and his previous letters continually refer to it as a matter which it did not rest with him to arrange ||; but he was unquestionably one

* Archæologia, xxi. 175.
† Thomson, 490.
‡ Thomson, 306. 495.
§ Cayley, ii. 41. The same writer (p. 48.) quotes from sir Anthony Weldon, a story of a re-examination of Cobham, and a deceitful report of it made to the king. Weldon's unsupported testimony has never been thought worthy of credit.
|| "To give you my judgment of what particular things will be concluded in the treaty is more than I can do, for any thing which is yet passed; but when I observe the fashion of things, how they are carried, I do conclude sufficiently that peace we shall have, without the company of the states of the Low Countries, whose fall or standing is the only object of

of the plenipotentiaries who negotiated it, and he took some pains to defend its provisions, in his correspondence with sir Ralph Winwood, ambassador at Paris.

It is objected to the treaty, that the terms, as between England and Spain, were not sufficiently favourable; and that the right to succour the Netherlands ought not to have been abandoned. The first objection deserves little weight; exclusive of the United Provinces, there was no fair point of contest between the two states *, nor any justifiable ground for continuing the war. And the English ministers very properly declined any more intimate connection with Spain, than one of "friendship and amity only, with mutual trade to each other's dominions;"† and would not consent to an interdiction of trade with the Netherlands. But the promise to abstain from supplying the Netherlands with the means of resisting Philip, was inconsistent with the recorded opinions of the English court, and of Cecil in particular, whose apprehensions of the consequences of the subjugation of the Netherlands had been repeatedly avowed. Cecil appears to have rather unwillingly agreed to give this promise, and he takes great pains to explain, that there was no stipulation for recalling troops actually in Flanders; and that "in that part of the article which only relateth to that which his majesty bindeth himself unto, that his majesty promiseth neither to punish nor to slay, but only that he will not consent, of which word you know the latitude as well as I." ‡

good or evil consequence of the same." Cecil, to sir Thomas Parry, 27th September, 1603. Ellis, 2 ser. iii. 205. And to Winwood he writes, "The constable of Castile is come to Dunkirk, and resolved presently to take his passage, so as there is now nothing so certain as a treaty, and in my opinion nothing more likely than a peace; for as it is most true that his majesty's mind is most inclinable thereunto, and that in contemplation thereof, things have been so carried here, as if a war were now somewhat unseasonable, so you may see by the king of Spain's great descent from the height of his forms towards other princes (where punctilios of precedency have been in question, and such other circumstances as are incident to treaties) as he is determined to go through with it." April 12. 1604.—Winwood, ii. 18.

* See Hume, vi. 27.

† Cecil to Winwood, 4th June, 1604. ii. 22.

‡ To Winwood, 4th September, 1604 "Litera," said Cecil, quoting from Barneveldt himself, "*Litera occidit sed spiritus vivificat*, for so treaties are commonly carried between great princes, where many things

A stipulation, constructed with an intention of evading it, belongs to a species of diplomacy of which I cannot approve; yet he must have read the life of Elizabeth under a strange prejudice, who shall quote it as an instance of departure from the policy of that mysterious princess. But there is good ground for believing that there really was an understanding between the English and Spanish governments upon this point. *

are left to interpretation, for saving reputation for those that will make no quarrel for things done, though they never give consent thereto by their treaty. And so shall it appear in the course of his majesty's carriage towards these countries in all things consonant to honour and reason. To which assurance if you shall speak with M. Barneveldt at any time, add this much from me, that if they be not apt to multiply their own jealousies, they shall find all friendly and just correspondency; wherein I am so far from making him believe that his majesty has only reserved this power in the secret of his own heart, contrary, as it seems to the law of the letter, as I do protest unto you that there is not, in my opinion, any one article which carrieth show of greatest suspicion, whereof we have not plainly made before hand, our interpretation to themselves; in what sort they may expect the execution. For first, for trade with them we have admitted no exception more than the matter of the placard, which with no reason we could have insisted upon, seeing they stand in direct terms of hostility. Secondly, for that clause which may seem hardest, where there is a declaration, that all such as help them must be punished, *ut pacis pertubatores*, that was literally accorded unto, because there was never any peace made where subjects are not forbidden to carry warlike support or victuals to the open enemy of the other side. In which, if construction should be made, that voluntaries may not, therefore pass over by that article (besides that it was openly protested, and is and shall be practised, that the king will forbid none to any side,) first, you see that there is no publication to revoke those companies that are there already, which was in France at the peace making: next, you shall find, in that part of the article which only relateth to that which his majesty bindeth himself unto, that his majesty promises neither to punish nor to stay, but only that he will not consent, of which word you know the latitude as well as I." ii. 27.

* Hume says — "As the Spaniards made no complaints on the head of assistance sent to the Hollanders, it appeared that by secret agreement, the king had expressly reserved the power of sending it. In this respect, James's peace was more honourable than that which Henry IV. himself made with Spain. This latter prince stipulated not to assist the Dutch; and the supplies which he secretly sent them were in direct contravention to the treaty." (vi. 28.) In his letter to Parry, just quoted, Cecil says, "The count of Aremberg has in mild terms expostulated with the king, for suffering levies at this time to be made for the Low Countries, but he has therein only received the ordinary answer, and very truly. First, that the king has neither given commission, nor allowed any pay to any; next, that he is a king of many people of active bodies, to whom he cannot deny liberty to serve either princes, or states, not enemies." Surely *at that time*, the true answer was, we are at war with Spain, and may lawfully annoy her, either by regular troops, or permitted volunteers. There is in the British Museum the argument of two of the privy council to king James I., immediately after his coming to the crown of England, touching sending aid to the United Provinces." The affirmative is maintained, under the head of "*Justum, Utile, Tutum.*" The arguments are made to fall in with James's kingly prejudices, as one is, that the king of Spain did not hold these provinces as *king*, but as *earl*. But some better reasons follow.

The most recent of the treaties which Elizabeth had contracted with the States, had thrown upon them more and more of the burden of their own defence, and that no one of them restrained England from making a separate peace. On the contrary, the treaty of 1598 * for which so much praise has been bestowed upon the judgment of Burleigh, referred in terms to the possible conclusion of a peace between England and Spain †, and provided in that event for reduced instalments of the Dutch debt to England.

The government of the United Provinces, whose representative as Cecil tells us ‡, had been apprised of the negotiation, made not, as it would appear, any vigorous remonstrance against the treaty, and was content to accept the explanations of the king's ministers.

If this treaty involved no breach of faith, it certainly produced no actual injury to British interests, and it would be difficult to show that, as compared with the niggardly and reluctant succours which Elizabeth had latterly afforded to the states, it retarded at all the successful termination of their contest with Spain.

The Spaniards nevertheless, according to sir Charles Cornwallis, English ambassador at Madrid, found the treaty beyond their hopes, and it is remarkable that in a private letter § to Cecil, Cornwallis, his subordinate in office, gives a highly unfavourable opinion of the treaty, of which Cecil was one of the makers, and tells him that the Spaniards attribute it to corruption. This letter does not counteract the evidence which those of Cecil furnish of his participation in the treaty ||, but it affords an additional proof of the absence of that general and undisputed responsibility, which our present constitution attaches to a principal minister of England.

* Camden, 610.
† Art. 8. Dumont, v. p. i. 589.
‡ June 13, 1604. Winwood ii. 23.
§ June 2. ii. 75.
|| Cornwallis offers to get a list of the supposed English pensioners of Spain, p. 96. The ground of his objection was not so much the desertion of the Dutch, as the loss of an opportunity of winning honour and wealth at the expense of Spain.

Of one other circumstance this letter affords presumptive evidence—the absence of any imputation of bribery against Cecil himself.

In the first parliament of James, which met on March the 19th, 1603-4, Cecil sat as a peer: his name appears as the bearer of occasional communications from the king; but there is no record of a speech, nor any thing to show how deeply he was concerned in advising those proceedings on the part of James and his government which gave to this first parliament of the king, a character of discontent even beyond that of the last parliament of the queen. There are no means of ascertaining the particular part which Cecil bore in these transactions; but it must be admitted that the ministers, of whom Cecil was one of the principal, were not successful in their management of the conflicting interests and tempers of the king and the house of commons.

For the prolix and arrogant, but in some parts really good speech, with which James opened this parliament, the royal pedant is alone responsible. But I cannot separate Lord Cecil from the transaction which first attracted the notice of the commons, and from which some writers have dated the commencement of the great struggle between king and people. In the proclamation* for calling the parliament, the king, after dilating upon rather common truths in very good language, charges all persons interested in the choice of knights of the shire to select them out of the principal knights or gentlemen within the county, and for the burgesses that choice be made of men of sufficiency and discretion without desire to please parents or friends, that often speak for their children or kindred, avoiding persons noted in religion for their superstitious blindness one way, or for their turbulent humours other ways . . . . "We do command that no bankrupt or outlaws be chosen, but men of honour, good behaviour and sufficient liveli-

* 11th of January, 1603-4. Parl. Hist. i. 967.

hood." The sheriffs are charged not to direct a writ to any ancient town being so ruined that there are not residents sufficient to make such choice, and of whom such lawful election may be made, and all cities and boroughs, and inhabitants of the same are charged, that none of them *seal any blanks, referring or leaving to any other to insert the names* of any citizens or burgesses to serve for such city or borough, but do make open and free election according to the law, and set down the names of the persons whom they choose before they sign the certificate."* All returns are to be filed in chancery, and if any be made contrary to this proclamation, the same to be rejected as unlawful and insufficient, and the place to be fined for making it, and any one elected contrary to the purport, effect, and true meaning of this proclamation to be fined and imprisoned. Although this proclamation, in prescribing to the electors the mode in which they should exercise their franchise, and in reserving to the chancery a power of deciding upon the validity of elections, assumes a prerogative for which there was no warrant, it must be admitted to contain no injunction unfavourable to the cause of freedom. On the contrary some of the provisions might have emanated from a "parliamentary reformer." But the law laid down in the proclamation and the jurisdiction established by it, were at least in one instance used by the government to ensure the return of their own friends. This attempt the commons resisted with partial success.

Of this transaction we have an account from Cecil himself. "If you have heard," he says to sir Ralph Winwood, "any thing of any question between the king and the lower house of parliament, you may satisfy yourself (whatsoever you may hear) that the cause was only by lack of understanding of what was intended by his majesty, and not any other point of importance. So

* It is remarkable that Mr. Hallam, whose abstract of the proclamation (i. 408.), I have otherwise followed, does not notice this strong piece of presumptive evidence, of a practice of direct nomination by the patrons of boroughs; which practice, however, he elsewhere states to have prevailed, "from the earliest time."

as if I did not conceive that idle discourses are apt to make comments upon all things, according to the levity of their own brain, I should not have touched it at all; for to be short, it was no more but this, that sir Francis Goodwin having laboured to be knight of Buckinghamshire, to the exclusion of an ancient counsellor sir John Fortescue, it was advised by the king's learned counsel and judges whether there were not some means by the laws to avoid it; whereupon it being found that he was outlawed (and so certified by the sheriff) consequently a new writ was sent forth, by virtue whereof sir John Fortescue was chosen. Notwithstanding, the lower house having had notice that he was once chosen, and having found that the outlawry was pardoned in effect by his majesty's general pardon upon his inauguration (although, in true construction of law, he is not *rectus in curiâ*, until he hath sued out his *scire facias*,) they somewhat suddenly fearing some opposition (which was never intended) allowed of him and rejected the other; which form of proceeding appeared harsh to the king rather in form than matter. And, therefore, being then desirous that the higher house might have some conference with the lower house (which we as of ourselves did intimate unto them), they grew jealous of that proposition, as a matter which they misliked to yield to after a judgment; and therefore did rather choose to send to the king, that they would be glad to show himself the reasons (to whom they owed all duty as their sovereign) rather than to any other, taking it somewhat derogative from their house to attribute any superiority to the higher house, seeing both houses make but one body, whereof the king is the head. This being done after two conferences in the presence of the king, the council, and judges, the matter was compounded to all men's likings; wherein that which is due, is only due to Cæsar; for, but for his wisdom and dexterity, it could not have had any conclusion with so general an applause: this being found by debate to be most certain, namely, that neither of them both were duly re-

turned, and therefore resolved of all parties, that a new writ should go forth by warrant from the speaker, wherein none of them should stand to be elected; and so much for the truth of that cause."*

The minister attempts to make light of an occurrence which was really of considerable importance; yet there is nothing here, in regard to facts, materially inconsistent with the parliamentary record.†

There is in the first place a fair avowal that, upon the election of a candidate unpalatable to the court, search was made for some legal means of avoiding the election. So far this proceeding is not (except that the judges were called to consultation) distinguishable in point of constitutional tendency, from that of advice and assistance given to a government candidate, who conceives that his successful opponent is under a legal disqualification. I apprehend that there has not yet been a government in England which would hesitate to give advice and assistance to a friend so situated. If at this day no government would call in the aid of the judges, or would attempt to set aside a disqualified member by the authority of the crown, it is because the independence of the judges is now established, the privileges of the commons are clearly understood, and legally defined. If the present was the first instance in which the claim of the crown had been put forward, so probably was it the first in which the election of a disqualified person had been questioned; and there was no original absurdity in superseding by the process of the king's courts of law, the election of a person whom the law made ineligible: for it is observable that the law laid down in the proclamation was not confidently or finally disputed by the commons; their objections were to the tribunal by which it was enforced, and to the judgment pronounced by that tribunal. And it must be admitted that the decision in chancery appears to have been such

* Lord Cecil to Mr. Winwood, 12th of April, 1604. ii. 10.
† Parl. Hist. i. 997. 1011.

as justly to expose that court to the charge of undue compliance with the wishes of the government.

It is not the least among the remarkable passages of this transaction that the king having in vain desired the commons to confer with the lords, was attended by a deputation of commons, with whom he personally argued the point. In their own words, the argument was "delivered from his royal majesty's own mouth, with excellent strength and light of reason, more than before in that point we heard or did conceive."*

While this language was used by the remonstrating commons, the minister might be justified in ascribing to the personal dexterity of his master the favourable issue of the dispute, which ended, as he informed Winwood, in a compromise. If it be granted that this struggle was the commencement of the great contest, the admission does not necessarily imply proportionate blame to its authors. The greatest events spring from causes from which it is neither expected nor intended that they should follow.

There may have been, and was, a want of that rare sagacity which notes with one glance the distinctions of times and circumstances, and points at once to remote consequences; we may admit that Cecil had not the talent of foreseeing results; but acquit him of a systematic design to produce them.

The project of the union with Scotland was James's own: Cecil introduced it to the house of lords, but "it had been conceived by the king's majesty himself, and the same written out as his majesty did dictate."†

This favourite scheme came to nothing, as did others which were mooted; and the commons were in a humour so little favourable to James, as to induce him to send a letter "written with his own hand‡," declining any present supply.

* Parl. Hist. 1010. In speaking of the king's language, sir Francis Bacon used phrases of compliment really blasphemous; "that the eloquence of a king was unimitable," was the weakest of his expressions!

† Lord's Journals, 21st of April, 1603. ii. 784. See Von Raumer, ii. 205.

‡ The Parl. Hist. adds, "but corrected as to the spelling," the journals do not record this imputation upon his majesty's orthography.

Many considerations must be weighed before we censure, on account of the ill humour of the commons, Robert Cecil, or the ministry, or the king himself. Even in the latter days of Elizabeth, a spirit of independence had appeared in the house of commons, and among the people; and undoubtedly the character, opinions, habits, I may add, the person and language of James, were ill calculated to check the progress of a sentiment, to which the skilful policy of Elizabeth was becoming unequal. *

Under the then system of government the success of an administration depended much more than in our days, upon the character and talents of the sovereign. He was deemed a faithful counsellor who obeyed the commands of the king. There was not at that time either a cabinet, or a prime minister, responsible in law and in public opinion, for all acts of the crown, and for the measures of every department of government; nor was there at the head of each branch a minister legally accountable. The monarch not infrequently overruled the suggestions of the ministers, even in matters of ordinary administration, and often no doubt compelled them to adopt proceedings which they had not advised, and which they did not approve. It does not even appear that, in such cases a minister thought it his duty to remonstrate. Remonstrance with resignation as the alternative, was at this time unknown. It was not until the reign of Elizabeth that the office of secretary of state in particular had necessarily carried with it a seat in the privy council. And even after the king's secretary had been thus exalted, it would seem that his functions resembled those of the office created in our time, of private secretary to the king.† It was his duty to execute the commands and signify the pleasure of his master; and his signature which certified the king's authority, did not involve the secretary himself in any

* See Hallam, i. 401, 423.

† Nicholas observes (p 46.), that "the duties of the king's principal secretary seem formerly to have more closely resembled those of the king's private secretary than those of the secretary of state of the present day."

peculiar responsibility; nor was the counter signature of the secretary essentially necessary to a document conveying the king's pleasure in regard to matters which are now confined to that office. Much was done in the privy council; the counsellors who were few in number, constituted a sort of cabinet, and the secretary of state, now always one of them, shared in the responsibility. The communications of the council, which embraced various matters, and particularly instructions to ministers abroad, which now proceed from a secretary of state, were signed by the counsellors, and all were equally responsible: but it does not appear that this council deliberated, or gave advice upon the personal acts of the sovereign, which were numerous and important, many of these, it is probable, did really proceed as some do now, in form, from the mere motion and special grace of the king; and the ministers were frequently kept in ignorance of his majesty's intentions, until they were carried into effect.* In this very parliament James wrote a letter to the house of commons, wherein he declined a present subsidy. It is hardly possible that he could have written this communication without consultation with his high treasurer, an officer of great and independent power; yet the letter itself was written with his own hand†, and the measure apparently his own.

We have seen James engaged in an active discussion with the deputies of the house of commons, and an important proceeding resulting from this discussion. According to modern practice, there would only have been an address, and an answer, which answer would have been read by the king from a written paper, previously prepared by his ministers, who would have been responsible for every word. I offer these remarks, in order that Robert Cecil, important personage as he was in the councils of James, may not be judged by the modern rules of ministerial responsibility. If on the one hand,

* As in the instance of Ralegh's reprieve.
† See p. 125. *antè*.

he can claim no part of the praise bestowed upon the "unimitable oratory" whereby James persuaded the commons to annul the return of Goodwin, in those unusual and injudicious proceedings, neither is he to bear all the blame attached to the illegal return of Fortescue.

About this time a remarkable correspondence occurred between Cecil and Mathew Hutton, archbishop of York, from which some notion may be formed of the secretary's opinions, if not upon the general subject of religious toleration, at least upon the comparative dangers to be apprehended at the beginning of the seventeenth century from papists and from puritans.

The archbishop * adverts to some orders, which he had received from the council, for proceeding against puritans according to law; and to take care that the places of those who might be ejected, might be supplied by conforming ministers. The aged† prelate expresses his wish, that a like order were given to proceed against papists and recusants, as being more than the puritans, contrary in substantial points of religion and anxious for the establishment of the pope's authority, and their own religion. He makes this special appeal to Cecil, as the son of Burghley. "Good, my lord Cranborne, let me put you in mind, that you were born and brought up in true religion; your worthy father was a worthy instrument to banish superstition, and to advance the gospel. Imitate him in this service especially." And he takes this opportunity of complaining of some of the prevalent habits of the king, "as one that honoureth and loveth his most excellent majesty with all my heart, I wish less wastening of the treasure of the realm; and more moderation in the lawful exercise of hunting, both that poor men's corn may be less spoiled, and other his majesty's subjects more spared."

In answering this letter, Cecil ‡ paid judicious com-

* Bishopsthorp, 18th of December, 1604. Lodge, iii. 251.
† He was now in his 75th or 76th year.
‡ 1st of February, 1604. v. p. 259.

pliments to the zeal of the archbishop, but expressed his regret, that "through want of better information," his views of the intentions of the king and his ministers in regard to religion were obscured. He told him, "that he had always held it for a certain rule, since he had any knowledge, that the papists were carried on the left hand with superstitious blindness;" but added, with a prophetic anticipation of the occurrences of the next reign, that "the puritans, as the archbishop had termed them, were transported on the right with unadvised zeal. * The first punishable for matter essential; the second, necessary to be corrected for disobedience to the lawful ceremonies of the church; wherein, although many religious men of moderate spirits might be borne with, yet such are the turbulent humours of some, that dream of nothing but a new hierarchy, directly opposite to the state of a monarchy, as the dispensation with such men, were the highway to break all the bonds of unity, to nourish schism in the church, and commonwealth. . . . Where your lordship seemeth to speak fearfully, as if in labouring to reform the one, there were some purpose to tolerate the other; I must crave pardon of your lordship to reply thus much till I hear you touch the particulars, that it is not a sure foundation to build upon *bruits, nam linguæ magister populus;* and all these phrases of *they say,* are the common mother, and nurses of slanders; neither can I be persuaded otherwise, forasmuch as I have observed in the place I have held (within the compass whereof some, more than vulgar bruits do fall,) but that whosoever shall behold the papists with puritan spectacles, or the puritan with papistical, shall see no other certainty than the multiplication of false images." After these very just remarks upon the danger of trusting to common report, or to representations prejudiced by party (from which, indeed, no character has suffered more than Cecil's own,) he promised him the support of the council in the execution of the laws against the papists.

* Another word applicable to the Puritans has been obliterated.

"And now," he proceeds, "for that which concerns myself, to whom your lordship hath given a friendly caveat, under the title of a great counsellor, I love not to procure or yield to any toleration, a matter which I well know no creature living dare propound to our religious sovereign: although I am far from the vanity to esteem my fortunes worthy the style of greatness, yet dare I confidently profess that I will be much less than I am, or rather nothing at all, before I shall ever become an instrument of such a miserable change."

In concluding, he ascribes James's prodigality to the necessity of a liberal expenditure at the commencement of a reign; and defends hunting as a "manlike and active recreation, such as those to which the good emperor Trajan was disposed."

This correspondence was communicated to James by lord Worcester, who attended him in a tour which he was then making. "He was merry," says lord Worcester, "at the first, till, as I guessed, he came to the wasting of the treasure, and the immoderate exercise of hunting; he began then to alter countenance, and in the end, said, it was the foolishest letter that ever he read, and yours an excellent answer, paying him soundly, but in good and fair terms." *

* P. 264. Although Cecil had no concern in the subjoined communication from James to sir Thomas Parry, (Oct. 3. 1603,) I print it as curious in reference to the king's disposition towards *a comprehension*. — "For as we did ever know how much his [the pope's] amity was to be valued as a prince of honour and greatness, though there has nothing more dissuaded us than how to cherish and maintain a sound and lawful correspendence, without being subject to those inconveniences which often happen to princes, sometimes by the weakness, sometimes by the corruption, of their own instruments." After assuring Parry that he had no such apprehension as to him, he proceeds: — "We have ever desired that all manner of differences were well reconciled, as we have always wished (and so do still) that some good course might be taken by a general council (lawfully called), whereby it might once for all be made notorious, *which is the doctrine of antiquity nearest succeeding to the primitive church*, and which are only novelties which are to us naturally so much displeasing (wheresoever we hear of them or find them), as there is nothing savouring of greatest antiquity in the church of God, which we would not have duly observed, if it can be simply maintained by the word of holy scripture; so far, we protest, we are from any wilful, obstinate, or pre-occupied passion, as we would with our heart yield to an uniformity in all things, that should not directly tend to maintain corruption, utterly repugnant to the word of God; that thereby the peace and union of all the christian church might be secured, and so be the more enabled jointly to resist the common and avowed enemy of God and all christians." Sloane MSS. 4160. No. 139.

At this period Cecil had an opportunity of showing that the deformity of his person, and the weakness of his constitution, did not prevent him from resenting an offence. "The earl of Salisbury and others," says Donne, "were arbitrators in some differences between Hertford * and Monteagle †; Hertford was ill satisfied in it, and declared himself, so far as to say, he expected better usage in respect not only of his cause, but of his expense and service in his ambassage ‡; to which Salisbury, alluding to his marriage with lady Catherine Grey, replied, that considering how things stood between his majesty and Hertford house, at the king's entrance, the king had done him special favour in that employment of honour and confidence, by declaring in so public, and great an act and testimony, that he had no ill affection towards him. Hertford answered, that he was then and ever an honest man to the king; and Salisbury said, he denied not that, but yet solemnly repeated his first words again. So that Hertford seemed not to make answer, but pursuing his own word said, that whosoever denied him to have been an honest man to the king, lied. Salisbury asked him if he directed that upon him; Hertford said, upon any who denied this. The earnestness of both was such, as Salisbury accepted it to himself, and made protestation before the lords present, that he would do nothing else till he had honourably put off that lie. Within an hour after, Salisbury sent him a direct challenge by his servant Mr. Knightley. Hertford required only an hour's leisure of consideration, (it is said it was only to inform himself of the special danger of so dealing with a counsellor), but he returned his acceptation, and all circumstances were so clearly handled between them that St. James's was agreed for the place, and they were both come from their several lodgings, and upon the way to have met, when they were interrupted by such as from the

* Edward Seymour, earl of Hertford, eldest son, by the second marriage, of Edward first duke of Somerset, the Protector.
† William Parker.
‡ He had been sent on an embassy to Brussels.

king were sent to have care of it." * Cecil thus got out of a disagreeable adventure, into which, according to the only account we have of the transaction, he was led by a want of courtesy, of which he is not in general accused. He could not but act as he did, after the offensive words had been uttered by Hertford, but he appears to have provoked them by unnecessary taunts.

The parliament was appointed to re-assemble on the 5th of November, 1605; but its meeting was postponed, for reasons which the mention of that particular day will suggest. Cecil has divided with his royal master the praise of sagacity in the discovery of the powder plot, from the anonymous letter. According to his own account †, Cecil and other lords of the council, coupling the information which had been received of some great stir among the catholics, with the mysterious intimation of the letter, were sufficiently aware of what was intended before they went to the king. ‡

It was in this age too much the practice for members of the government to sit as judges at state trials, and to take a part in the proceedings, in a mixed character of judge and witness. Catholic writers say, that on the trial of father Garnet, Salisbury lost his temper; but nothing appears in the proceedings liable to more than the general objection of interference. Indeed, in this trial, as in that of Ralegh, Cecil's remarks evinced much consideration for the prisoner; and Garnet acquiesced in the minister's assertion, that the accused had been very well treated in prison. §

Sir Everard Digby, when on his trial, urged in defence or palliation of his participation in the conspiracy certain promises to the catholics, which he alleged to have

* Donne's Letters, p. 214.
† 9th of November, 1605. Winwood, ii. 170.; and see Lodge, iii. 301.
‡ See Cecil to Cornwallis, 9th of November, 1605. Winwood, ii. 170.
§ State Trials, ii. 243. Salisbury also said to Garnet, "This interlocution of yours to Hall, overheard by others, appears to be *digitus dei*, for thereby had the lords some light and proof of matter against you, *which must have*

been broken by James's government. Salisbury answered him from the bench, but the allegations were too vague to admit of more than a general denial. *

One consequence of this plot was the imprisonment of Northumberland, and the imposition of a heavy fine upon him; upon a charge preferred in the star chamber, for protecting his relative Percy, one of the conspirators, and for endeavouring to be at the head of the papists, and to procure them toleration. †

It is probable that lord Salisbury, who inherited lord Burleigh's hatred of the Roman catholics, and was even suspected of an inclination to the puritans, participated cordially in the penal enactments against the Romanists which followed this extraordinary plot. There is no record of his speeches, or indeed of any debates upon the new statute. ‡ But Cecil himself when alluding, in his correspondence with Winwood, to the "many things which have be enconsiderable" in the session of 1605–6, mentions especially "the zeal of both houses for the preservation of God's true religion, by establishing many good laws against those fire-brands, jesuits and priests, that seek to bring all into confusion. § If we may trust to the evidence of the French ambassador, Boderie, which is here supported by probability arising from James's avowed sentiments, Cecil, in joining with the commons in these measures, went rather beyond the

been discovered otherwise by violence and coercion; a matter ordinary in other kingdoms, though now forborne here." Upon these words, Miss Aikin (i. 396.), founds her reference to Cecil's "detestable doctrines promulgated on the state trials; and above all, his atrocious and most shameless assertion that torture itself might justifiably be inflicted on free-born Englishmen, at the will and pleasure of their sovereign." Really, considering that this authoress herself tells us (p. 270), "that torture was more frequently used by Elizabeth than by any of her predecessors, or perhaps all of them put together," Cecil is not to be severely condemned for saying that torture was the *alternative* of the milder and quite justifiable method which was adopted for coming at the truth. To say (ib.) that the credit of forbearance is due to James rather than to his ministers is perfectly gratuitous.

* State Trials, ii. 187. 193.

† Collins, ii. 334.

‡ 3 Jac. I. c. 5. Parl. Hist. i. 1062—4. See Lingard, ix. 94.

§ 7th of June, 1606. ii. 218.

wishes of the king, who was irritated against the house of commons, mostly composed of puritans. *

But if, in this particular, Cecil had less than was usual of the royal approbation, he obtained at least a temporary popularity. "He has gotten," says sir Henry Neville, "much love and honour in this parliament, by his constant dealing in matters of religion: some part of it was found in the attendance to the installation †, being such as I dare avow, never subject had in any memory." "I hope," he adds, "it will confirm and strengthen him in his good proceedings." ‡

Salisbury appears also to have taken the popular view of one of the grievances which in this session § occupied the attention of both houses.

The ancient prerogative of purveyance had become, especially under Elizabeth ||, burdensome and odious, of which the king's English ministers were so much aware, as to have advised him to issue a proclamation ¶, as he entered London for the first time,—"to cease the exactings of all monopolies and protections that hindered men's suits at law, and to forbid the oppressions done by purveyors and cart-takers."

The abuses practiced by purveyors, were now taken up by the house of commons. The proceedings are not very clearly related, but we have some heads of speeches which may serve as specimens of the spirit and taste of those debates.

* Boderie, i. 81. Cecil had certainly a strong protestant feeling. "His majesty," he had written in October 20. 1605., to Edmundes, in Flanders, "and all who love the gospel begins to be very sensible of the strong and visible torrent wherewith the ill-affected in this state are carried into those parts, only to satiate themselves upon idolatory and superstition, for which surely ere it be long, it will be high time to provide." Birch. Neg. 231.

† He was installed knight of the garter, at Windsor, on the 12th of May, 1606. Birch. Neg. 256.—"He set forward from his house in the Strand, being almost as honourably accompanied, and with as great train of lords, knights, gentlemen, and officers of the court, with others, besides his peculiar servants, very richly attired, and bravely mounted, as was the king when he rid in state through London; and the lord Thomas Howard, viscount Bindon, being also very honourable accompanied and attended." Nicholls, ii. 48.

‡ To Winwood, 4th of June, 1606, ii. 216.

§ 1605-6.

|| Sinclair's History of the Revenue, i. 206.

¶ 7th of May, 1603. Stowe, 824.

The commons' articles concerning purveyors had been communicated to the lords. The lords made answer, and a conference took place.* The earl of Salisbury spoke first, being styled by the reporter of the conference, "the principal pen of the kingdom." He thus exhorted the two houses to agreement: "This house," he said, "and that, like two hands that washed one another, helped one another, laboured together," and recommended discussion rather than contention." "Modestus et justus dolor, linguam non dentes habet." But he joined with those who condemned the system. "Purveyors, taxers of the commonwealth, an article of his creed. They would join well with us, in chasing out a purveyor, as an hobgoblin." The discussion seems to have been a little discursive, and to have touched the king's pecuniary necessities. "Let it," said Salisbury, (the money) "never come into the exchequer; distribute it as you will, only help his want." Whether Cecil was insincere in his declarations against purveyance, whether he was over-ruled by his colleagues, or by the house, or whether there really was reason in the representations of the lords' committee that "the bill was in many things inconvenient †, and not fit to be further proceeded in," we know not; but it was laid aside by the lords. ‡

About this time, lord Salisbury once more entertained king James at Theobalds, together with his brother-in-law, Christian IV. of Denmark. § The entertainments given to the Danish monarch do no credit to the age.

In reading the description of them, we may at least boast of excelling our ancestors in sobriety, particularly in our females. For details, I refer to sir John Harrington, though I fear that these disgusting orgies are not altogether foreign to our subject, inasmuch as the grave statesman whose life I write, was intimately

* 20th of February, 1605-6. Com. Jour. i. 271.
† Parl. Hist. i. 1065. Journals, ii. 412. April 10. 1606.
‡ A second bill to the same effect was rejected. Parliament was prorogued on May 27. 1606. Parl. Hist. i. 1071.
§ 24th July. Stowe, 885.

concerned in them. He was, indeed, the responsible deviser of a representation, in which the queen of Sheba fell at the feet of the modern Solomon: — Faith staggered, Hope failed, and Charity could scarcely cover the multitude of their sins; while Victory was overcome by wine, and Peace "made war with her olive branch." The lord of the mansion, however, was more successful in his personal undertakings; for he "did miraculously please both kings, with good meat, good wine, and good speeches."*

Theobalds was, not long afterwards, given to the crown, in exchange for Hatfield, at this day the seat of the lords of Salisbury. It is said† that Cecil was a great gainer by this arrangement, which was nevertheless very acceptable to James, and to queen Anne, upon whom Theobalds was settled.

We are told, that Cecil was the reputed author of some "*beaux vers*," which were composed on this occasion; but we have not the means of appreciating the "grande facilité d'ésprit" which they are said to have evinced.

After the peace of 1603, Cecil took the principal part, which properly belonged to him, in the subsequent correspondence with Spain, as well as the United Provinces. This correspondence exhibits him as the reputed enemy of the Spanish connection. "To your lordship," says Cornwallis‡ to Cecil, "here is attributed much as to one whom they account the most efficient and able counsellor that ever king was served with; and some of the most judicious of them wish the king their master were possessed of such a one, in lieu of divers whom he entertains. Yet are they not well assured of your

* Nugæ, i. 348—54., and Nicholls, ii. 63.

† Boderie, ii. 254. The representations by foreign ambassadors of facts and motives, must be received with great caution, especially when they concern a minister whose policy was obstinately English.

‡ 1st June, 1605. Winwood, ii. 74. Charles Cornwallis, younger brother of William, who was ancestor to the late marquis and earl Cornwallis.

love to this nation, and desire of the continuance of this peace."

Whatever may have been the sentiments of Cecil, his conduct evinced a resolution of strict neutrality. The task of the minister in the period which followed the treaty of peace, was one of much difficulty. The Dutch interrupted our commerce with the Spanish ports*, and most unwillingly acquiesced in the neutrality of England. They remonstrated against a proclamation which was issued for recalling all English seamen from foreign service, "though it could not be denied but that their enemy did receive thereby a greater prejudice." † They violated our neutral position, by actually engaging a Spanish fleet under the guns of Dover Castle.‡ In the correspondence which this rencontre occasioned, Cecil exhibited a spirit of just neutrality, with a leaning in his mind towards the States. He would not listen to the Spanish invitation to hostility against the United Provinces, and refused to transport to Flanders the Spanish troops which had been landed at Dover, in consequence of the illegally conducted attack of the Dutch. § He did not press a suggestion which he once made, that, in consideration of the very peculiar and irregular circumstances of the case, the Spaniards should be permitted to transport themselves, without molestation from the enemy || ; but told them that, if they could not find their own way across the streights, they must be reconveyed to Spain.¶

The violations of neutrality, or rather the breaches of treaty, on the part of Spain, were more offensive. The complaints from our merchants of illegal captures and confiscations** were neglected, and harbour was given in

* Winwood, ii. 31-3-4-6—277.
† March 31, 1605. ii. 55.
‡ P. 81.
§ 10th August, 1605. 106.
|| P. 134.
¶ At the same time lord Arundel, who was in the service of the archduke, was forbidden to go over under the protection of count Villa Mediana, the ambassador; and having got on board ship by bribery, was ordered home. Birch's Hist. View, 225.
** These grievances had been the subject of petitions to parliament towards the end of the session of 1606-7. See Parl. Hist. i. 1119. There is

Spain, and in the Milanese, to Irishmen and others, who had been engaged in rebellion against the English government.* The impunity of these occurrences has been adduced as a proof of the weakness of the government. It is very difficult to name the precise point at which remonstrances founded upon detailed and disputed circumstances, should take the form of an hostile threat; and it is probable that the pacific disposition of James, perhaps of Cecil also, more than any predilection for Spain, occasioned an excess of forbearance, in regard to the offensive proceedings of the Spaniards. The English minister in Spain actually requested of the privy council that, in order to invigorate his representations at the Spanish court, he might be "strongly reprehended for his slow proceeding, in the suit of the complaining merchants.† It was evident that the Spaniards were no longer in any dread of the English government. "They had advertisement out of England, that thence there was nothing to be feared: that the king had deeply wounded the hearts of most parts of his subjects in both kingdoms, and had not a penny in his treasury to pay a soldier." To those who held this language, Cornwallis answered, very justly, that all the discontented would be reconciled, and "cast themselves at his majesty's feet, at what instant soever he pleased to strike up his drums against Spain." "I wished them," he said, "to assure themselves that if, at this session of parliament, there were the least signification given of his majesty's intention to dissolve what he had concluded with Spain, he would

no report of any debate hereon, or any speech from Salisbury during this session.

* Winwood, ii, 189, 219, 400. See also, 406, 413.

† In the session of 1606-7, the English merchants

Beaumont, fancied that this petition was got up by the government in order to strengthen its representations to the court of Madrid: the correspondence already mentioned, between Cecil and Cornwallis, might appear to justify this belief; but Salisbury's speech at the conference to which the petition gave rise, did not sustain the case of the merchants. This speech is reported by Bacon (v. 205.), manager for the Commons; but it is omitted in the Parl. Hist. i. 1119. See Hallam, i. 429.

have more subsidies offered, than himself would require."*

It was under this impression that Cornwallis, whose residence in Spain had not reconciled him to the house of Austria; and who considered the peace of 1604 "as a reparation, not a building†," afterwards suggested the expediency of a "galliard motion in parliament, founded upon some reason for leaving the peace, with a large offer for support of the king's charges‡," might in like manner, quicken the proceedings of the Spaniards. These suggestions, which were addressed with great freedom to the privy council, were not adopted. The prospects of success became, for a time, more encouraging §: but it does not appear that full redress was at any time obtained. Reprisals were thought of, but considered as of doubtful advantage to the English merchants, who had large stocks in Spain.|| Salisbury at one time suggested the withdrawal of those goods, as a preparation for hostilities; but the anxiety for peace prevailed. If Salisbury did not go quite so far as James in his abhorrence of war, he certainly made no effectual resistance to the peaceful propensities of his master. When he "found it high time to impart unto his majesty the representation of Cornwallis, it was chiefly for his own discharge, 'who never loved to carry great things alone.'"¶

While these discussions were pending, two projects ** were set on foot by the court of Spain: first, for a league, offensive and defensive with Spain, and a match between prince Charles of England, and the infanta of Spain, who was to have for her dower the Spanish dominions in the Low Countries; and secondly, for reducing the Low Countries to the dominion of Spain, by the aid of the king of England, who was to receive one million of

* 5th September, 1605. Winwood, ii. 129.
† 8th September. P. 130.
‡ October 18. P. 143.
§ November, 1605. P. 159.
|| Cornwallis, p. 238. Salisbury, p. 325.
¶ 17th August, 1606. Winwood, ii. 249.
** July, 1605. P. 160. 162. 164. 168.

ducats annually, for the charge of maintaining certain towns, which were to be assigned to England, as security for the conditions to be granted by Spain to the Dutch.

The proposed alliance was declined, upon the grounds on which it had been rejected at the period of the peace.

It was added, that in such a case "the States of the Low Countries would utterly despair, that there was not the smallest grain or spark of his majesty's affection remaining any more towards them; and would not fail to cast themselves into the hands and protection of France."*

The Spanish government was informed, that the king had already used his good offices, in order to persuade the Dutch to a peace, and it was recommended that Spain should make another attempt. Cornwallis was authorised to propose the match. The proposition led only to desultory discussion.† There was no eagerness on either side, though, in the beginning, it seems, the Spaniards revived the well-known proverb, said to have originated with the duke of Alva,—"Con todo el mundo guerra, y paz con Inghilterra."‡

The affairs of the Low Countries now gave rise to a lengthened discussion between England, France, Spain, and the States themselves, in which our historians, implicitly following French writers, have found cause for the severest censure of the English government: and although king James is the more favourite object of objurgation with the English writers, the French critics have dwelt upon the subtlety and insincerity of his minister Salisbury.

The discussions commenced with a request from the States, that England "would covertly assist them with a round sum of money, by the example of the French king §, or that his majesty would remit a part of their debt, or that some part of the debt due from France

* The council to Cornwallis, 17th March, 1605-6. P. 199.
† 17th March, 1605-6; 201, and see 363.
‡ Cornwallis, November, 1605. ii. 168.
§ June 7. 1606. P. 218.

might be paid to them. And in this last suggestion the French minister Beaumont concurred. An answer, consistent with honour and good faith, was given by Cecil in these words: "To the first, it hath been often answered him, that howsoever the French king may have reason to justify his proceedings in that which he doth, (although his treaty of peace may prescribe him the contrary) yet in the king our master the case is not alike, who having as yet never received any offence well proved from the king of Spain, would be loath to give him so great a cause of jealousy and scandal on his part. Besides, when his majesty shall be disposed to break his peace with Spain, he will not begin such a practising course, but declare himself absolutely and roundly in it, according to the present state of his affairs, and the due respect to which his majesty's faith and honour (which he respecteth above all things), shall lead him."* An expectation was held out of further indulgence in the matter of repayment.

While these transactions as to the States were in progress, Henry IV. sent to London † a new representative, from whose correspondence we learn much of the politics of the French court, and of its notions of Salisbury, and of the English policy. M. de la Boderie came, specially instructed to cultivate Salisbury, on account of "the authority and power which he had in the conduct of affairs."‡ The talents of this diplomatist give a value to his estimate of James and his ministers; in many points it was undeniably correct. Boderie did perhaps not over-rate James's indisposition to war, and the loss of character which England sustained through the unresented injuries committed by Spain. And he was perhaps not wrong in ascribing to Cecil a participation in the counsels, by which, if the interests of England sustained no considerable injury, her reputation did suffer some disparagement.

* 7th June, 1606. P. 217.
† May, 1606.
‡ 15th April, 1606. Ambassades de M. de la Boderie en Angleterre, i. 6.

These were offences committed by England against herself. But the practised and systematic French diplomatist had the habit, common to his school, of attributing to those with whom he treated a tortuousness of intention, and a complexity of purpose*, which exist in fact more rarely than in imagination.

In truth, with the exception of the toleration of the Spanish grievances, neither Boderie, nor his correspondent Villeroy, though liberal in the use of depreciating language, imputes any thing to Cecil which would, if proved, support an inculpation. They were angry, because England would not prefer, above all things, a close alliance with France, for the mere love of France herself. France had preceded England in making a separate peace with Spain, and had even more completely deserted the States†; feeling now somewhat stronger, she had an inclination to return to her former policy, and desired a renewal of the alliance with England. Her ministers could find nothing but a crooked and hostile policy, in the doubts which England entertained of the propriety of thus following all the turns of her neighbour. The English minister did not forget the purpose of the alliance;—to secure England against the maritime power of Spain, and to maintain the independence of the States. Thus, when Spain offered her alliance, to be cemented by a royal marriage, Cecil alleged, as a main reason for declining it, that it would make the States hopeless of success against Spain, without throwing themselves into the arms of France; a result equally hurtful to the interests of England.

It is not discreditable to Salisbury, that while the

* See Bod. i. 69.

† "In making of the peace with Spain, his majesty plainly avowed his confederacy and intercourse with them; whereas France by their peace did utterly disavow all their precedent and future correspondency, by conditioning to revoke all those that served them. And though since, they have entered into a cause of assistance, yet it is not upon open and direct terms, but by underhand and disavowed evasions of former debts, and other like pretences." Salisbury to Winwood, 6th June, 1607. ii. 313. See the Instructions to Spencer and Winwood, ii. 369.

Spaniards deemed him so much their enemy*, that their emissaries were supposed to threaten his life, France should attribute to him a preference of Spain. He had in fact no partiality for one or the other. He was one of those persons who, as Boderie himself says of the English people, think themselves so strong, and are so proud (si glorieux) within their island, that they think that no power, however great it may be, can do them injury.† Villeroy, too, said justly, "His master and he have their own end, and think that they can maintain themselves in the state in which they are, in spite of the whole world."‡ Boderie was, perhaps, justified in adding, in the then state of England, "neither can they injure others;" but neither he nor Villeroy formed a correct notion of the English minister, when they imagined that by rough language they might turn him from his purpose.§ If Cecil sometimes yielded too pliantly to the humours of his own master, he was in no instance diverted from his English policy by the menaces or the persuasion of a foreign power.

At this time, apparently, a hint came from France of a desire to renew the war. "I must deal freely with you," writes Salisbury to Winwood, through whom the suggestion had come, "that it must be a far greater interest which must draw his majesty into such an

* Cornwallis apprised Cecil of an intrigue in Spain to alienate the king's favour from him by means of the queen, as one who for his own ends sought to cross her desire of amity with Spain; and warned him that there were plots against his life. Winwood gave similar information of danger from the papists. Winwood, ii. 159. 205. 265.—Cecil wrote: "For myself, of whose danger by bloody practices you express your care, I can but return you thanks, and commend myself to God's protection: and in that confidence assure you that I believe not all; only the more danger is laid before me, the more zealous it makes me of God's and my country's service." "I have learned to despise the malicious stings of evil tongues, which hate me for my religion, and my country. Yet your good office in seeking to suppress those things which might raise envy unto me, (though as false as the authors of the lies are) merits my acknowledgment with thanks. The discourse no doubt is written by some Jesuit."—17th August and 5th February, 1606. p. 249, 293. About this time a tract was published, which is attributed to Salisbury, entitled, "An Answer to several scandalous papers scattered abroad under the colour of a Catholic Admonition." London, 1606. It is not in the Museum. See Winwood, 192.

† P. i. 348.

‡ P. 325, 326.

§ Ib. Si vous en parlez vertement et sèchement; p. 326.

action, than hath yet been propounded; for to undertake a war anew, which should have no other object than the settlement of a third party (*which party may prove in the end as uncertain to us as any other**), were a work of too great difficulty to be compassed now, unless it might bring with it some access of power to this kingdom of one kind or other, to countervail the hazard and expense which we should be forced to undergo in it."†

The refusal of assistance from England probably accelerated the conclusion of a truce between the United Provinces and the archdukes; who, for reasons which it puzzled Salisbury to discover, offered to acknowledge them as a free state.‡ This event was desirable for all parties, notwithstanding that it was brought about without the interference of England. When secretary Prado avowed the circumstance to Cornwallis, adding that he thought it would come to little effect, *for my lord of Salisbury would be adverse to any such agreement;* "I answered," says the English minister, "that he much mistook lord Salisbury and his dispositions; for, might there be a good peace, safe, honourable, and profitable, for all parties interested; upon the peril of my soul I durst avow, that there is not a counsellor in christendom who would more willingly put his head and hand into it." Prado replied, that "none could understand it more ably, if his will were answerable to his power."§ Cornwallis was right. Salisbury was a practical statesman, and though he felt that his master ought to have been acquainted beforehand with the intention of the States, and though he could not penetrate the motives of Spain in acknowledging their independence, he readily fell in with this new course of events, whereby a desirable end appeared likely to be accomplished even by

* Upon this most important and neglected consideration, as applicable not only to the United Provinces, but to any country in behalf of which England may have thought it proper to interfere, I take the liberty of referring to an article in the 19th vol. of the Foreign Quarterly Review, p. 135.

† 21st February, 1606-7. ii. 297. See Boderie, ii. 18-79.

‡ 2d April, 1607. Winwood, ii. 298. 305-6. 311. Birch, Neg. 267.

§ 6th February, 1606-7. p. 294.

undesired means. He only determined not to interfere further unless solicited by the States.*

This difficulty was soon removed: while the several powers were preparing for the proposed conferences, the archdukes made a vigorous remonstrance against the aid given by England to the Dutch. Salisbury answered their representations, *d'une façon si ouverte et si brusque* †, that they could answer nothing. He told them that "there was nothing in the treaty which obliged England to abandon the states; that she had in truth aided and assisted them, as much as good faith permitted; and that she would continue to assist them, and that he would have it known, that there was no prince, be he who he might, who had recourse to England, to whose defence they would not run."

I doubt whether Cecil did hold this chivalrous language, with respect to the world in general; and the construction which, if Boderie is to be believed, he put upon the treaty with Spain, is more liberal than that which he had previously put forward. I cannot find in the domestic politics of England at this time any sufficient reason for the more warlike language which appears, not only in the questionable reports of Cecil's conferences, but in the instructions to the English plenipotentiaries which bear his name. I can, therefore, only seek that reason in the altered conduct of France. It was the opinion of the English ministers that without the co-operation of France, England could not effectually protect the states, or at least, without making efforts so great, as eventually to outweigh the advantages, *precarious after all*, of establishing the Dutch in an independent state.

The instructions‡ to Spencer and Winwood, now sent to the Low Countries, exhibited a determination to co-operate with France in securing the independence of the States, who were to be exhorted to embrace no conditions

* 6th June, 1607. iii. 313. Boderie, ii. 285.
† Boderie, 6th August, 1607, ii. 358. See Parl. Deb. 1819. xi. 1095. and 1248., for some notice of this case.
‡ Winwood, ii. 329. No date, but probably August 1607.

of peace, where the point of renunciation should be either scanty or reserved.* It was proposed that France † and England should be parties to the treaty. But the plenipotentiaries were not authorised to propose a declaration of war against Spain, as the alternative of an independent establishment of the States.

It appears to me, that Cecil was of opinion that it would be politic to make, jointly with France, a vigorous war for the defence of the United Provinces, rather than suffer them to be recovered by Spain; but he wisely preferred peace; and the state of the finances, his pacific disposition, and the still more pacific disposition of his master, and his distrust of the cordial co-operation of France, all induced him to keep the possibility of war as much in the background as possible, in his communications either with France or with the States, whom it might, he thought, induce to be unreasonable in their demands upon Spain.‡

* P. 331-2.

† On first hearing of the truce, Henry IV. had expressed his readiness to act with England either in promoting the peace or renewing the war; thinking it probable, for no good reason, that James might now alter his habitual policy. Boderie, ii. 14F. April 14. 1607.

‡ Boderie, July 4. 1608, iii. 365. What follows is from the instructions to Spencer and Winwood. "We think it fit that you do both, particularly to the French, and jointly with the rest, endeavour to understand what it is or can be expected of us in the point of war; of which there can be but two kinds: either by the joint resolution of France and us, or by the supplies of money underhand for the maintenance of that charge In the first point the language of the French will be found cautious and uncertain; wherein, in the name of their king, they will affirm nothing categorically. But if they shall say, that their king will not refuse with us to make war upon Spain, it may be asked, upon what grounds—we two being in peace with Spain—shall enter into war? If to maintain those countries that they fall not into the hands of Spain, those countries may be maintained, being settled in an assured peace, by the intervention of us two, and yet we may keep our peace with Spain. If the war shall be undertaken to dislodge the Spaniards out of those countries, what pretence can two Christian kings have to embrace so unjust and so unworthy a quarrel? And the Spaniards being dislodged, how shall those countries be bestowed. but that jealousy will arise between us two neighbour kings, which will break the amity between our realms? For the maintenance of the war underhand by a common treaty, it is in effect no more than to declare publicly that the princes will break their peace privately: so as if the States or French king's commissioners shall maintain discourse in that kind, you may do well first to know of the States what it is that they would ask; and so comparing it with the dry and barren return that may be looked for of such a war as this hath been all this while, to consider whether it were not better to make an actual war, wherein there are many hopes which are not in the other form to be expected, so as if it should be granted and accepted, if the war be carried with no better resolution than

Such being the sentiments and apprehensions of Cecil, it was probable that his policy would want decisiveness, and his language precision: but he who reads the correspondence of the French ambassador Boderie, together with that of the English minister, with Winwood and Cornwallis*, will not ascribe the slow and unsatisfactory proceeding in the negotiation entirely to the fault of Cecil or his master. "Il y' avait," says Boderie himself, "une telle défiance aux esprits de ce Roi (king James) et de tous ceux de son conseil, telle envie, et telles restes de cette inimitie naturelle et ancienne, qui a toujours été entre cette nation, et la nôtre, que ce sera un grand miracle s'ils marchent jamais avec nous, avec la franchise et sincérité qui serait nécessaire pour en tirer profit. *Nous faisons d'ailleurs si peu de notre côté* pour les guérir de celle maladie; que ce n'est pas merveille si nous en sentous tous les jours des nouveaux symptomes."† And again: "Nous marchons les uns et les autres avec trop d' incertitude, et de défiance pour jamais rien faire de bon." ‡

But after all, as frequently happens after protracted and apparently useless and unskilful negotiations, the *result* was satisfactory enough.

France threw no impediment in the way of peace but in order to secure to herself the full advantage of it, proposed and finally concluded a defensive league § with the States, *to take effect after the conclusion of peace with Spain.* Salisbury || made the same arrangement ¶ on the part of England, and when it appeared probable that the negotiations of the Dutch would end only in a long truce, the provisional league was extended to that case also.** This was effected in spite of objections made by

it hath been these many years past, future ages shall fall again into the same trouble, miseries, and expense, which the French king and we desire to prevent."—Winwood, ii. 333.

* This is much too voluminous even to be abstracted.

† Boderie, 3d May, 1608. iii. 237.

‡ October 1, 1608. iv. 1.

§ January 1607-8. Dumont, v. pt. 2. p. 89. Birch. Neg. 280.

|| Salisbury to Cornwallis, 13th November, 1607. Winwood, ii. 357. Also 369. 376. 413. 421.

¶ 26th June, 1608. Dumont, p. 94.

** Salisbury to the Commissioners, 7th August, 1608. Winwood, ii. 427.

the archdukes, to whom, "to the end that his majesty's intentions in it might be more apparent to the world's view*," Salisbury had communicated his proceedings.

It is not necessary to follow Boderie in his narrative of the discontents which his jealousy of the Spanish interest occasioned. The French king constantly claimed a precedence, which the prejudices or the heedlessness of the queen sometimes gave to the ambassador of Spain.

A more important cause of offence was the refusal of Salisbury to enter into a triple league with France, and the Dutch, for carrying on the war against Spain, in case of the renewal of her contest with the States. Cecil made no objection to a general defensive league with France; he would not mention the United Provinces by name†, because he might thereby tempt the states-general, in which prince Maurice had a strong party for war, to reject all overtures for peace.‡

This refusal to include the Dutch, was given after a reference to James himself; but France ascribed the refusal, and not unjustly, to the fear of offending Spain§, and would not enter into the alliance without the States; I own, that except for the specific purpose of maintaining the States, the alliance was undesirable.|| Together with this alliance Cecil proposed a double marriage: Henry prince of Wales with the eldest daughter of France ¶ and the dauphin with the English princess. ** The French court now discouraged the whole scheme, but at all events proposed that only one match, that of the English prince and French princess should be accomplished.

A truce for twelve years was concluded in April

* Salisbury to Cornwallis, 19th May, 1608. Winwood, ii. 399. Also 31st May, p. 406., and 30th June, p. 413. and 427. 429. 433.

† Boderie, iii. 366.

‡ Birch, generally favourable to Salisbury, blames king James (Neg. 296.) for this reserve, "and for his extreme attention to money matters." I concur in the reasons given for the first, the latter was a continuation of the policy of Elizabeth.

§ Boderie, p. 413.

|| See Boderie, iii. 408.

¶ Elizabeth, afterwards the wife of Philip IV. of Spain.

** Elizabeth, afterwards the wife of Frederic V. elector palatine, and ancestress of our Brunswick kings.

1609*, under the mediation of England and France, between the Dutch provinces, recognised as a free state, and the king of Spain and the archdukes. This was all that England could reasonably desire, and quite sufficient for her interests. Though it was not until after Salisbury's death that the final pacification was effected; the independence which he so much desired was effectually established from this time. That independence was with Salisbury an essential condition. He was aware that "there was not at that day any action upon which the eyes of all Christendom looked with so great and so jealous an expectation."† His despatches, though they did not altogether reject the alternative of war, did certainly lean very much towards peace, nor does he therefore deserve any blame. And he at the same moment protested with much vehemence against the injurious representation of Richardot, the archduke's minister, that England would have abandoned the point of independence. ‡ What he says upon this subject is obviously sincere:—"After some trouble, he could recollect no better ground for the imputation than his having dropped an opinion which might easily be justified §, that a single truce for twenty years would be better than a continued and fruitless discussion."

Besides the point of independence, the mediators insisted upon securing to the Dutch the trade to the Indies, from which the Spaniards pretended to a right to exclude them. Of this trade England and France gave the States a joint guaranty. ||

On the other hand, the English commissioners sustained the Dutch in resisting the Spaniards upon a point of which they had made a *sine quâ non*, which was then thought of great importance to England, as the

* 9th April, Dumont, p. 99. Winwood, ii. 474., 490–8., iii. 1-3.
† Letter to lord Shrewsbury, 10th February, 1607, Lodge, iii. 346.
‡ Ib. 478.
§ See lords of the council to the commissioners, 8th October, 1608. Winwood, ii. 433.
|| Winwood, 11th March, 1608-9, 480. 488. 490. 401. iii. 1-3. Dumont, v. pt. 2. p. 110.

guardian of the Protestant interest. The States would admit no stipulation for tolerating the Catholic religion. And sir Ralph Winwood not only refused to join with the French minister in recommending the Catholics to this indulgence, but made his refusal a point of "his service to his God, and his duty to his king." There is no letter from Cecil on this subject; it is probable that he did not feel so strongly upon it as the English ambassador.

There is abundant evidence in the official conduct of Salisbury, that whatever might have been the professions of James, *he* had no leaning towards Spanish interests. But he saw very correctly one reason against quarrelling with Spain. "We may say freely to you that the Spanish king hath better means by *the way of Ireland*, to infest his majesty's estate *de præsenti*, than he can the French king's; (Ireland having a party to assist Spain) which were an ill accident, until his majesty hath taken breath to fill his coffers; where, on the other side, in France there is a party ready to oppose against Spain, even although they should be coldly affected to their natural sovereign." This was one of the grounds upon which the king declared "that in case the sovereignty should be granted without any other pernicious conditions, he dared not make himself the author of a new war by his counsel, whereof he knoweth not the consequence, nor could not assure the States of any assistance, other than shall be subsequent to a breach after a pacification, according to the contents of this treaty."*.

Surely these were the views of a practical English statesman; and we have seen that the Spanish court thought Cecil much their enemy †, and very hostile to the Romish religion. There were rumours not only in Spain ‡, but in Holland §, of intentions on the part of

* Lords of the council, 7th August 1608, to Winwood, ii. 427.; and see lord Salisbury's private letter to lord Shrewsbury, 10th February, 1607. Lodge, iii. 347.

† And see Cornwallis, 16th October 1608 ii. 440. 464.

‡ Winwood, ii. 193. 202.

§ P. 264.

certain Jesuits to assassinate the English minister as their principal enemy. We have not much by way of answer from Salisbury to these intimations. "For myself," he said on one occasion to Cornwallis, "of whose danger by bloody practices you express your care, I can but return my thanks and commend myself to God's protection, and in that confidence assure you that I believe not all, only the more danger is set before me, the more zealous it makes me of God's and my country's service."*

I cannot quit this correspondence between Salisbury and Cornwallis, without noticing one letter in which the minister rebukes the ambassador for the insufficiency of some of his reports. He thus prefaces his request of more precise intelligence: — "Although I receive from you many packets by which your care and diligence doth appear, yet, seeing that they bring not at all times that satisfaction which I could wish, not only because those things are not granted which we think just (which no way is imputed to you), but rather because you write so uncertainly of things that are visible in Spain, and of great consequence to us, I have resolved (out of my freedom which your affection deserveth) to impart unto you what I would wish amended; beyond which, be assured I do not go, being loath that you should at any time have cause to think (where I know you endure so great calamity) that I would not rather cover if there was anything amiss, than help to find it: so as therein you may be sure that I have so handled it, as that defect comes under no other man's observation."† In what good part Cornwallis took this reprehension so worthy of a kind-hearted gentleman, will appear from the commencement of his answer. "Most honourable lord, God will I hope, ever be pleased to give me grace rather to receive contentment in the reproof of the wise and virtuous than in the song of the fool and flatterer. I acknowledge myself bound unto your lordship for many sun-

* 17th August, 1606. ii. 253.
† Salisbury to Cornwallis, 27th September, 1607. Winwood, ii. 340.

shines of your favour, yet (I assure your lordship) take none of them for so sure an argument of your good affection as this of your reprehension; especially coming so naturally and out of so clean an air, and so much promising continuance of the former fair weather that I have enjoyed.

"My good lord, I cannot but acknowledge that, in this service, for which I never thought or said myself to have any aptness, I have out of mere inabilities committed many errors; but your lordship's love have hitherto covered the multitude of my misprisions; and your noble nature rather compassionated than complained of the faults proceeding out of inevitable infirmity. Although so true and so perfect a glass hath represented my spots, as I should far forget myself if for such I should not acknowledge them; yet, noble lord, give me leave, I beseech you, with the waters of truth to wash them from mine heart, though infirmity, accident, and impossibilities to avoid them, hath laid an apprehension of aspersion upon my face." *

In 1608, the lord treasurer † died; a few months before his death, this celebrated statesman and poet made a will, in which he noticed his principal friends and colleagues in the government: to each of the earls of Suffolk ‡, Shrewsbury §, Worcester ||, Dunbar ¶, and North-

* 14th October, 1607. Winwood, ii. 348.

† April 19th. Thomas Sackville, first lord Buckhurst, and earl of Dorset, ancestor of the duke of Dorset. Collins, ii 119. Lodge, part. iv. 5. Till I found a letter from Cecil to Hickes in the Museum, I never heard that the family of this poetical treasurer were venal. "I am very glad you have chosen Mr. Greville, and I will do all I can for you; only believe me that in this place my lord treasurer's voice will weigh down, and being sought without him will never be had, for he will violently cross it. Go therefore, in anywise to my lady Glenham, give her promise of 100*l.*, so she will win her father to you. . . You must tell Glenham that except you may assure me that her father likes of it, your best friends will not stir. She must deal so directly with the treasurer for the 100*l.*, or else she may cozen you. . . For the 100*l.* I will find a word to pay it, or 200*l.* rather than fail." No date. Lansdowne, vol. 88. No. 52. Lady Glenham was Anne, eldest daughter of Dorset, and wife of sir Thomas Glenham of Suffolk.

‡ Thomas Howard, see p. 113.

§ Gilbert Talbot, see p. 73.

|| Edward Somerset, fourth earl of that name, ancestor to the duke of Beaufort.

¶ George Hume, see p. 91.

ampton*, sir Henry Neville and others, he bequeathed chains and rings, by way of remembrance, and attached to each bequest some words of affection or commendation.

To Salisbury, also, he left valuable jewels; but his legacy was accompanied by one much more valuable, in the elaborate eulogy which he recorded of his public and private character. As the posthumous, and almost death-bed testimony of one who knew Cecil well, I give an extract from this singular document. After expressions of gratitude for personal kindness, he refers to "the public merit of his friend, both towards his majesty and this commonwealth, wherein, when I behold the weight," he says, "of so many great and grave affairs, which the special duty of his place, as principal secretary, doth daily and necessarily cast upon him; and do note withal, what infinite cares, crosses, labours, and travails of body and mind he doth thereby continually sustain and undergo; and, lastly, to see with how great dexterity, sincerity, and judgment, he doth accomplish and perform the faithful service of that place. These divine virtues of his, so incessantly exercised and employed for the good of the public, I must confess, have made me long since so greatly to love, honour, and esteem him, and so firmly and faithfully fixed my heart unto him, as I daily and heartily pray unto Almighty God to continue all strength and ability, both of body and mind, in him, that he sink not under the weight of so heavy a burden; that the king's majesty in him may many years enjoy the fruitful labours of so worthy a servant; and he, in the king's majesty, may long possess the gracious favour and love of the most judicious, learned, and rarest king that ever this world produced. By the hand of whose royal and prudent direction, and the grave advice of those other wise and faithful counsellors to his highness, he may help to guide and steer the stern of this estate, in the course of safety and

* Henry Howard, the writer of the letters to Scotland.

plentiful prosperity, always keeping and preserving the ship of this commonweal within the port and haven of flourishing peace, so often blessed even by God himself; and that it may there rest fast fixed to the sacred author of our own security and quiet, and not upon the rising of every puff of wind, to hoise* and sail into those deep and dangerous seas, surged and bellowed with storms and tempests of hellish war; and where no better effects are, or can be expected, than continual doubts, perils, and fears, of many woeful wracks, miseries, and calamities to fall upon us. Thus, I have faithfully set down, in some sort, the noble parts of this honourable earl, who, besides such, his worthiness and sufficiency for the public service, both of his sovereign and country, is also framed of so sweet a nature, so full of mildness, courtesy, honest mirth, bounty, kindness, gratitude, and discourse, so easily reconciled to his foe, and evermore so true unto his friend, as I may justly say, it were one of the chiefest felicities that in this world we can possess to live, converse, and spend our whole life in mutual love and friendship with such a one; of whose excellent virtues and sweet conditions so well known to me in respect of our long communication by so many years in most true love and friendship together, I am desirous to leave some faithful remembrance in this my last will and testament, that, since the living speech of my tongue, when I am gone from hence, must then cease and speak no more, yet the living speech of my pen, which never dieth, may herein thus for ever truly testify and declare the same."†

The office of treasurer was with little delay‡, and probably no hesitation, given to Cecil, who thus obtained all the official rank and importance which his father had so long possessed.

Contrary to an expectation that appears to have been

* Sic;—to hoist sail, I suppose.
† 11th August, 1607. Collins, ii. 142, 143.
‡ 4th of May, 1608. Sidney Papers, ii. 325. Boderie, iii. 302.

entertained at the time *, he retained the office of secretary of state; and it appears to have been the king's intention, that he should exercise the functions of prime minister. "My master," he tells sir Henry Wotton, "has laid this honour upon me without suit †, and without merit, out of this opinion, that some experience might make me more able than any new man; and the condition of my fortune, (if not my honesty) divert me from the error of corruption, rather to make myself a superintendent over others, and take in my care, and manage matters of greatest weight and consequence, discharging the grosser part of the place by a distribution of business and despatch to every other officer, as well my adjuncts as subordinates." ‡

The appointment was thus announced by sir Henry Neville to sir Ralph Winwood: — "I am sure you have understood the advancement of our honourable friend to the place of treasurer with the same content that it bred in the whole kingdom, saving *me gli interessate* §, who digest it not so well inwardly as they make show outwardly, especially the followers and dependants, whose hopes are by this means somewhat abated. But otherwise I know not any thing the king has done in that kind more universally applauded; *so great a reformation many imagine will follow this change.*" ||

For reformation certainly there was much necessity. The administration of Dorset, who was more than 70 years of age when he commenced it ¶, had left the finances in a very bad condition.

The supplies voted to the king were inferior to those of the queen's last years, and in the session of 1606-8, no supply was voted. ** The expenses of James, who had a queen and children, were necessarily greater than

* Boderie, iii. 247.
† Boderie says that the queen considered the treasurer as her creature. iii. 302. I doubt this.
‡ Sidney Papers, ii. 326.
§ Sic.
|| 12th of May, 1603. Winwood, ii. 339.
¶ He was born in 1547; made treasurer 1598; and died in 1608, at the age of 81.
** Parl. Hist. i. 1120. Sinclair, i. 210. and 256.

those of Elizabeth, but they were further augmented by the expensiveness of his habits, the profuseness of his disposition, and particularly his extravagant grants to Scottish favourites.* Great irregularity also appears to have crept into the administration of the treasury and exchequer.

There is good evidence, that in all matters which depended upon official care and diligence, especially in respect of the crown lands, the new treasurer made considerable improvements. † But the financial administration of Cecil, in the instance which I am now to notice, has been exposed to censure, perhaps exaggerated, but not undeserved.

The parliament, which was sitting at the death of Dorset, was prorogued in July, and did not reassemble until February 1609–10. It was in this interval that the lord treasurer, and ministers took upon themselves to increase the rate of duty payable upon the importation of several articles of merchandise, beyond that at which they had been fixed by parliament.

Although this arbitrary proceeding is not to be regarded, as if it had been adopted in the eighteenth or

* Boderie, ii. 16. 413. 427 440. ; iii. 70. 72. 103. 189. Just before the death of lord Buckhurst, the lords of the council had remonstrated with the king on the profuseness of his gifts. In a paper, "touching means to advance the king's revenue by unusual means, so as the king will take the act upon himself, and be our protector," there is this remarkable language: —"If those things may not be made the objects of private men's hopes, which are the only flowers that are left ungathered at this time to fill up the empty places of that garland of your crown, which cannot be repaired, if the garden of your majesty's treasure shall be made a common pasture for all that are in need, or have unreasonable desires." .... "As liberality to well-deserving subjects doth multiply and confirm affection and duty to princes, so the benefits which are promiscuously bestowed, and without convenient consideration of merit or values, do not only beget further importunity in those that lack, but breed contempt in the gifts, and ingratitude to the giver."—*Harl. MSS.* No. 2207. p. 2. So early as 1603, the king was so poor, that the treasurer knew not how to procure money to pay for the king's diet."—*Lodge*, iii. 172. "How my lady Arabella is now satisfied, I know not; but the king hath granted 800*l.* yearly for her maintenance, and of it, 200*l.* beforehand; she shall also have dishes of meat for her people; more tables will not be allowed; and that you will think, when you shall hear that our sovereign spends 100,000*l.* yearly in his house, which was wont to be but 30,000*l.*; now think what the country feels, and so much for that." (Cecil to lord Shrewsbury, 17th of September, 1603. *Ib.* p. 182.)

† See these detailed by sir Walter Cope, in Gutch's Collectanea Curiosa, i. 126.

nineteenth century, when its illegality would have been quite unquestionable, it must be deemed to have been, even in 1608, an unjustifiable assumption of prerogative. Yet in this measure Salisbury had the sanction not only of the crown lawyers, but of the judges of the land.

Francis Bacon had been raised in 1607 to the long desired office of solicitor-general *, which up to the year 1607, had been filled by his successful rival of 1593 †; still disclaiming ambitious views, and yet being very anxious when the attorney-general was ill, he had continued during the present reign to make application to Salisbury ‡, and his letters are those of an attached and grateful adherent. He now contended stoutly for the legality of the new imposition. §

In the time of lord treasurer Dorset, the legality of the imposition was questioned by one Bates, a merchant, when the majority of the judges decided in favour of the crown || : and the ablest speakers ¶ of those who censured the government, admitted that the tax was warranted by some recent as well as ancient precedents. I subjoin the explanation which Cecil himself gave, in the first instance, and in writing to a foreign court, where he was apprehensive that some of the charges might be opposed. He directed the attention of sir Charles Cornwallis to " certain impositions, or rather informations, of the book of rates for customs, which we have found good to increase for the most part for better relieving his majesty's present necessities, and extraordinary charges he is put to in Ireland ; not with any purpose to contravene or prejudice any of the trea-

* Beatson, ii. 329. 331.

† Sir Thomas Fleming. The attorney-general Coke was made chief justice of the common pleas in 1606, when Fleming was superseded by sir Henry Hobart

‡ To secretary Cecil, Bacon's Works, xii. 277 —To lord Cecil, 278–9. —To lord Salisbury, 14. 63. and 123. These were written from 1598 to 1603.

§ Works, vi. 44.

|| The great case of impositions. Michaelmas, 1606. St. Tr. ii. 371. The writers who have censured Cecil for his augmentations of the customs, have not attended to the date of this proceeding in the exchequer.

¶ Mr. Hakewill. St. Tr. ii. 407.

ties now in force with any of his majesty's friends or allies, but only by reducing them to the ancient and allowable proportion among princes, of five in the hundred, or as near thereunto as conveniently could, by rating every sort of merchandise according to their true worth and value as now they go. For upon comparing the prices and values of things past with the present, such great oversights did appear in undervaluing of some, and overrating of others, as his majesty without offence to any might justly and lawfully intend to the reformation thereof; especially now that his present necessities do enforce him, and his ministers do look more narrowly into every thing, inasmuch as it is consistent to honour and reason: it being always held above all other things a most convenient way, and less prejudicial to any that princes do supply their urgent necessities by increase of customs, because in every particular they are less felt by their subjects, and yet in the general bring a round supply with them. Upon this foundation, or as near as we could go to it, we have rated divers sorts of merchandises from their former rates; some to double proportion, some to a single, and some we have abated from their former rates, as the value of things could bear it: in all which his majesty useth no more but the same liberty which is used in Spain and elsewhere; where the nature for rates for customs do rise and fall according to the worth and value of the merchandises. Some other impositions — scarce worth such a name — we have also set either upon commodities prohibited to be brought in hither by the law, as logwood, Brazil wood, &c., or upon some commodities as we would be content to be less transported out of this realm, because of the dearth and scarcity of them at home, such as tin and lead, the latter whereof we shall be constrained to forbid absolutely to be transported; and yet such moderation hath been used in these impositions, to give the less cause of distaste abroad." *

* 30th of June, 1608. Winwood, ii. 415., and Boderie, iii. 342–3. See 2 James I. c. 33.

It is remarkable that this defence of the new impositions as a mere adaptation of *ad valorem* duties, although adopted by Hume *, appears only in this instruction to sir Charles Cornwallis, and in a communication to the French ambassador †, and is in truth only a justification of the act as between state and state, independently of its legality with reference to the constitution and laws of either country. The lawyers ‡, who argued the case as one of English law, placed no reliance upon this argument drawn from altered value. They founded their opinions upon general notions of the kingly prerogative, and upon some questionable precedents. In reference to these, the commons, referring to various grievances, observed,—" Although it be true that many of the particulars of which we now complain were of some use § in the late queen's time, and then not much impugned, because the usage of them being then more moderate, gave not so great occasion of offence, and consequently not so much cause to inquire into the right and validity of them, yet the right being now more thoroughly scanned, by reason of the great mischiefs and inconveniences which the subjects have thereby sustained, we are confident that your majesty will be so far from thinking it a point of honour or greatness, to continue any grievances upon your people, because you found them begun in your predecessor's time, as you will rather hold it a work of great glory to reform them. ||

But it was not only the limited operation of those illegal exactions by queen Elizabeth that constituted the difference between the two cases. Cecil's great fault lay in not regarding the altered signs of the times. ¶ In the

* vi. 49.
† Boderie, iii. 343. 421.
‡ State Trials, ii. 382. 407. See Hume, vi. 50. Hallam, i. 429.
§ *i. e.* were in some manner practised.
|| Petition of grievances from the commons to king James, 1610. State Trials, ii. 519., from Petyt's Jus Parliamentarium.
¶ In 1599 he took a just view of the mutual interests of government and people. " One thing here troubles us, that the queen hath raised many impositions and customs of late years; and some upon the French. If she shall desire abatement for her subjects, the king will do the like for his.

first place, there were symptoms even in those days of the sentiments which afterwards destroyed the monarchy. A knowledge of their ancient rights and a determination to maintain to them, with some disposition to encroach upon the prerogative of the crown, was observable among the people; it has shown itself in the latter years of Elizabeth, and would probably have made progress even if her reign had been prolonged.

But, secondly, that politic princess, cruelly and capriciously and tyrannical towards the great of the land, tenacious of her prerogative, and haughty in her addresses to the parliament, did always endeavour, and generally with success, to conciliate the good will of the people at large: her sex, her spirit, and her frugality, all combined to procure toleration of her frailties, and exaggerated praise of her better qualities. Cecil had, at the very first, perceived the inferiority of James, and it was not the part of a wise statesman to force the observation of it upon a discerning people.

Another financial resource to which Cecil resorted under the difficulties of 1609, was the ancient feudal aid, on making the king's eldest son a knight.* This measure justified by Magna Charta, though out of the ordinary course, excited no opposition. We are told by a careful collector of facts, that while he thus had recourse to unusual methods of increasing the king's revenue, he did not spare his private income, but "liberally rewarded out of his own purse several of the spies which he had in all the courts of Europe." †

Of his general administration of the treasury, it is very difficult to form a correct opinion; party ran high, and there is scarcely an abuse with which Cecil is not charged. But I am disposed to follow the historians who have given credit to the statements of Sir Walter

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Hereby are questions made by the financiers, whether this be good for the prince, though it be for the subject. *For my own part, I hold these two bodies relative in all circumstances.*" 25th of September, 1599. Winwood, i. 112.

* Boderie, iv. 370.

† Collins, in Sidney Papers, ii. 325.

Cope*, who served under him in the office. According to this competent witness Cecil's improvement of the crown lands and woods, (which were in his time a considerable branch of the revenue) as well as of the customs, "was judicious and considerable." The charges of mismanagement, or profusion, are on the other hand always vague, and unsupported by valid evidence.

In 1609-10 commenced† the first parliament in which Salisbury appeared as Treasurer, and the last in which he took any part.‡

It has been said that in this unfruitful and unhappy session, that struggle between the king and the commons commenced, which ended in the destruction of the crown; but in truth there had been even in the latter years of Elizabeth, symptoms of discontent and opposition, and James had in former sessions been very scantily supplied with money, while he was assailed with complaints of grievance.

It can hardly be doubted but that the king's lofty assumption of prerogative, and his exaction of deference which it was not in his mind nor manners to repay by flattery, did contribute to hasten that catastrophe, of which his successor was the victim. In what degree the misfortunes of royalty are to be attributed to the misconduct of the two kings must always remain a controverted question: it is not much more easy to solve that which belongs more peculiarly to us, — in

* Gutch's Collectanea Curiosa, i. 119. — In App. C. 1.

† February 9. Parl. Hist. i. 1121. Lingard, ix. 123. Aikin, i. 346.

‡ There is in the Museum, "a collection of such things, as Robert, late earl of Salisbury, thought fit to offer to his majesty, upon the necessity of calling a parliament, 1609." He refers to "his majesty's necessities, and the age of the prince," as moving him to call a parliament; and after giving the heads of many necessary inquiries, concludes with this not very intelligible passage: — "Because your majesty cannot well have further help from your parliament, except some just cause of war should happen, I have bethought me what cause would be most likely to preserve your majesty from any sudden necessity, and therein have had respect, as well to the honour of your state as to matter of bounty and reward, and as to the furtherance of all other things which may give ornament to the kingdom, or an increase to the industry of your people, all which may be comprehended under the title of General Policy, too much neglected in this state, where we have a king and country so well composed for such works."

what degree Cecil, as James's minister, is responsible for the errors of his master's government, and particularly for the failures of this session.

He submitted to parliament an apparently unreserved statement of the king's finances, solicited an annual grant of 200,000*l.* and a present grant of 600,000*l.* Aware that these demands would excite complaints, he called upon the commons to name their grievances.* Yet this speech was addressed to the lords; and the subject afterwards opened in a conference with the commons, in a speech from Salisbury, wherein, according to the manager for the commons †, there was "nihil redundans, nihil deficiens." ‡

* Lingard, ix 123. A contemporary thus mentions his opening speech:— "My lord treasurer is famous for an excellent oration delivered to the house, whereof though the subject and end could not be very pleasant to the hearers, being especially for a new contribution, yet the grounds and strength of his arguments were so energetical, and his speech so persuasive, as it seemeth to have given very good satisfaction both to the minds and judgments of all the house. Amongst other reasons and inducements which he used to them, he alleged (as I understand) this; that at the time of his coming into the charge of high treasurer, he found the king indebted 1,300,000*l.*, whereof part grew in the late queen's time, for supplying of the wars of *Ireland*, under the earls of Essex and Devonshire, and the rest since the king's coming to the crown, specifying particularly the manner and occasions of the expense. That since the said time, there had been 900,000*l.* of the said debts acquitted, so that there remained yet 400,000*l* to discharge. He showed, moreover. that the ordinary expense of the king amounted to 81,000*l.* yearly more than his whole revenue, besides the incidents of extraordinaries; which he said there is no man, but in the supputation of his private accounts, did commonly find to amount to the fourth part of his ordinary charges. So that both for the discharging of the remainder of the king's debts, and the due supplying hereafter of his expenses (whereof he did not omit to represent the new increase coming upon him, by the installation and emancipating of the prince), his conclusion and demand was, that the house would yield to a yearly and perpetual grant, and that without the necessity of new consents and assemblies, of 200,000*l.*, for a subvention to his majesty's charges. And the better to incline and encourage the house to the granting this high and extraordinary demand, he willed every one of them to bring and proffer freely any such griefs as they had, and promised in the king's name, that his majesty would redress the same, and give them all satisfaction therein, as far as should lie in his power." (Beaulieu to Trumbull, 23d of February, 1609. Winwood, iii. 123.)

† The attorney-general, sir Henry Hobart. "The king offered ease of just grievances, the subject, base creature, money. No true riches, but food and raiment. Negatur quiddam. The rest to play withal as rattles." A good deal about the creation of the prince. "In this prince, strange images, externally, much formosity, strength, and activity; internally, capacity, promptness, judgment in election. . . . . . The French king and the king join to support the protestant party, because evident right. Better the crown were dry, than that so noble should be deserted. We owe a tribute of retribution."—Com. Journ. i. 364.

‡ Com. Jour. 17th of February, 1609-10. i. 394.

The sum asked was larger than it had been usual to grant in one year; but it was not larger than the last vote to Elizabeth; nor was it more than enough to make the supplies to James, who had now reigned for seven years, equal to those which Elizabeth had received in a similar period.*

The grant of supply, and the redress of grievances, acquired the respective names of *contribution* and *retribution*. Under the latter head, the commons proposed that wardships and feudal tenures should be abolished, and a pecuniary compensation made to the king.† Of the complaints of the commons, many grievances had reference to ecclesiastical matters ‡, and are to be traced to the growing influence of the puritans. Others were connected with a dispute between the common lawyers and the civilians, one of which latter class had advanced, in a law dictionary, very unpopular notions of the king's prerogative. § Illegal proclamations were also the subjects of complaint. I know not whether Cecil had any peculiar share in these objectionable proceedings, in respect of all which James gave answers which appear to have been only partially satisfactory to the commons. The measure in which Cecil was more peculiarly concerned—the augmentation of the customs—was the subject of very forcible representations. The papers in which the illegality of the measure is set forth, and the commons' right to discuss it is asserted, are drawn with ability and fairness.|| James in vain endeavoured to prohibit the discussion.

The commons were not convinced by the "long and exact speech" of the lord treasurer, but sent up a bill to the lords, "against taxes and impositions upon merchants, or other the subjects of this realm." ¶

Notwithstanding these disputes, and their incomplete

* See Sinclair on the Revenue, i. 210. and 236.
† Lingard, ix. 127.
‡ Parl. Hist. i. 1135. Lords' Journ ii. 658.
§ Parl. Hist. 1122.; and see Hallam, i. 442, &c.
|| Journ. 431. St. Tr. ii. 519.
¶ Lords' Journ. 639. 646. This bill dropped at the prorogation.

or unsatisfactory termination, the negotiations for commuting the wardships and tenures appeared, after much haggling, to have come to a satisfactory conclusion; when the parliament was prorogued in July*, without accomplishing it. The amount was fixed, but no provision made for raising it. Salisbury was supposed to be sincere in his desire of the commutation, though, as master of the wards he would have sustained a loss. "For the matter of the wardships," says a contemporary, "I know there be many that cannot persuade themselves that it will be so easily put down, seeing in whose hands that office is; but I have heard for a certain truth, that my lord treasurer himself is he that in good earnest doth most effectually put it forward, knowing how great a service he shall thereby do to his prince, how much good he shall secure to his country, and what eternal commendation and love he shall get to himself and his posterity by such a worthy deed. And this reason, for my part, I hold very probable, considering how the said lord's actions do appear every day more and more to tend rather to honour and reputation than to profit.†

Towards the close of the session in July, a Mr. John Pory, a member of parliament, reports to Sir Ralph Winwood what apppeared to be the final conclusion of the bargain. The king complied, sufficiently, with the commons' demands, and they were at last brought by a speech from Cecil to come up to the sum which he demanded. On this occasion, he was the channel of that well-known and pleasant conceit of James, which went to settling the amount, by the number of the muses, the apostles, and the commandments! ‡ "For myself," he added, "no subject offers to his country

* The king empowered the lords to accept for him 200,000*l.* per annum. The entry in the journal is curious: — "The lord treasurer reported that himself and some others of the lords, *not as parliament-men, but as persons otherwise interested in the king's service*, did yesterday night acquaint his majesty with the effect of the conference before in the afternoon, had by the committee of this house with the committee of the lower house, and shew briefly the king's resolution in the matter," &c. — Lords' Journ. v. 656. Parl. Hist. 1135.

† Beaulieu to Trumbull, 1st of March, 1609. Winwood, iii. 124.; and see another letter in p. 159.

‡ See Hume, iv. 54.

as I have offered; for in thus relinquishing the court of wards, I am robbed of my right arm, and of the greatest strength I have to merit the love of many: and therefore, although as treasurer I have pressed very far for his majesty's advantage, yet as master of the wards I have deserved no imputation. What should hinder us from so eminent a good? If poverty, it is but *paupertas imaginaria.* Though we go not all *uno gradu*, yet let us go *unâ viâ.* If this be refused, *inter peritura vivimus*, &c. And now for a close, to have all sourness and all jealousies removed and buried at our parting, I must crave excuse and pardon of you, gentlemen of the lower house, if any of you have conceived any mistaking to proceed out of these lips this session; and the like loving opinion I treasure up concerning the generality of your house, and of every particular person thereof. And so as we were departing, he called us back again, and told us, that now he had delivered his majesty's final and peremptory resolution, that the distance was little, and the bargain advantageous: if we now refused, his majesty would instantly dissolve the parliament, and would never make the like offer to this assembly."*

The commons, on the instant, consented to the terms proposed†, with conditions; and at that time "the king and commons were like to part on the lovingest terms that ever any subjects in England did rise from parliament." It was however referred to another session to carry into effect this, which was termed "the great contract."

I am not acquainted with the amount or nature of the loss which the abolition of the court of wards would have occasioned to Cecil; nor can I ascertain how far he is entitled to the praise of a patriotic abandonment of his own interests. The memorial delivered by the commons to the lords at the end of this session contained a provision for "the lords to join with the house

* 17th of July, 1610. Winwood, iii. 193.; also 201.
† Ib. and Journ. i. 451., and Lords' Journ. ii. 659, 660.

of commons in petition to his majesty for recompense to be made by his majesty to all such officers of courts as are damnified by this contract in point of tenures." We learn, on the questionable authority of the French ambassador*, that he was to have a liberal compensation in money; but the same writer ascribes to him, as a part of his reward, the general approbation of the whole people, and the entire satisfaction of his master.

To the pecuniary compensation Cecil was fully entitled. In those days, the service of the crown was lucrative as well as honourable. Those who were selected as the king's ministers, were not only placed upon an equality in point of worldly fortune and consideration with the nobles of the land,—many of them the descendants of their predecessors in royal favour,—but they were enabled to transmit their fortunes, as well as honours, to their descendants. If the riches of some of these favoured ministers were augmented by corruption, no such imputation rests upon Cecil. His profits were honourably acquired, and openly avowed: he earned them by long and arduous service. He was not destined, however, to receive compensation for the court of wards, either in money or in public applause. The great contract was never completed.

Even during the session of parliament, the king had recourse to irregular methods of raising money. Privy seals, that is, securities or promises to pay, under the king's privy seal, were prepared, when a new device was adopted, of borrowing money from the aldermen of London, on the security of the customs.†

Of the proceedings of the next session, which lasted only from October to December, 1610 ‡, little is known. The Commons' Journal is lost; and we learn nothing from that of the lords, but that their repeated conferences with the commons led to no conclusion. It is not easy to acquit the commons of a dilatory neglect in

* Boderie, v. 189. says, that he was to have 400,000 *livres* down, and 2000 *livres* of revenue.
† Chamberlain to Winwood, 2d of May, 1610. iii. 154.
‡ Lords' Journ. 666—683. Parl. Hist. 1146.

executing their own engagements. They neither provided the funds for supplying the proposed compensation to the king, nor settled definitely and in detail the conditions which they required by way of "retribution." It would appear that the grievances which were put forward, and which were capable of legal redress, would not really have had so much effect in preventing an agreement, if the commons had felt confidence in the king, to whom the money was to be granted. On one occasion, during this session, he demanded of about thirty of the commons, whom he called before him, whether he was not in want, and whether it was not their business to supply him. Sir Henry Neville*, the spokesman, answered, "*When your majesty's expense groweth by the commonwealth we are bound to supply it; otherwise not.* He then referred to the amount of subsidies granted, more, he said, than in any former parliament †, and "yet they had no relief of their grievances." "Then was his majesty instant to have him declare what their grievances were. 'To all their grievances,' said sir Henry, 'I am not privy, but of those that are come to my knowledge I will make recital.' He then mentioned some judicial abuses, of which the removal was included in 'the great contract,' to which the king had consented. The writer of this, Mr. John More, apparently a subordinate of the treasurer's, observes that he conceived by the common discourse, that the parliament would be content to replenish the royal cistern (as they call it) of his majesty's treasury, if they were assured that *his majesty's largess to the Scots' prodigality*, would not cause a continual and remediless leak therein."‡ It was probably this allusion

* More to Winwood, 1st of December, 1610. iii. 235. This sir Henry Neville was eldest son of lord Abergavenny; not Neville of Billingham, the diplomatist. Lodge, iii. 124.

† This is unintelligible. Only one subsidy and one fifteenth had been granted in the preceding session; and in the whole parliament, only four subsidies and seven fifteenths; less, by one fifteenth, than had been granted to Elizabeth in the single year, 1601. Sinclair.

‡ More to Winwood, 1st of December, 1610. iii. 235.

to the Scottish favourites * that occasioned within a few days the prorogation and dissolution of the parliament; and thus fell to the ground the financial plans of the lord treasurer. This sudden interruption of proceedings, which the minister was labouring to bring to a conclusion, was probably the work of James himself. The temper of Cecil appears to have been somewhat soured by the situation to which the treasury was reduced, by the prodigality of the king, and the parsimony of the commons. A bill of extraordinary expenses of sir Ralph Winwood was presented to him for allowance. "His lordship would not endure to look on the bill, nor give leave to draw the privy seal; putting it off with these words, 'sir Ralph Winwood is no poor man; he can stay well enough;' and so from this matter his lordship presently fell into a great passion about the great penury of the exchequer, and the exceeding difficulty that would be found in replenishing the same. It is true that since his majesty hath spoken of the great contract, the lower house hath been very farouche and untractable, flatly refusing to yield any contribution, without an equivalent retribution; which troubles my lords spirits the more, because on him the world will call for money; and further, because (as some suppose) his lordship may have given the king hope of some real assistance to be granted, without any great material contribution on his majesty's part." †

Parliament did not meet again. Cecil remained exposed to great financial difficulties, enhanced by the refusal of the London merchants to permit the sums which had been borrowed of them to remain unpaid. Attempts were made, at the end of 1610, to raise money by private loans, and by the sale of crown lands; but the lord treasurer was "in some pain to furnish the expense" ‡ of the royal feasts. And after the lapse of a

* In Somers's Tracts, ii. 373., is an account of all free gifts made by James in the first fifteen years of his reign.
† Winwood, iii. 235.
‡ More to Winwood, 15th of December, 1610. iii. 239.

twelvemonth, "the difficulties of the exchequer did still remain," and "the privy seals went forth, but from a trembling hand, lest that sacred seal should be refused by the desperate hardness of the prejudiced people."*

Whether Cecil had given James reason to expect a more favourable issue I know not; but certainly these two sessions of parliament characterise Salisbury as an unsuccessful minister. He was unfortunate in both the parties, whose conciliation was necessary. There was that in the king's nature which it was beyond the wisdom of statesmen to reconcile to the English people. Even if James could have been brought to speak, as king's now do, the language of their ministers only, and had thus been made to abstain from those offensive expressions with which he continually disgusted the commons, he could not have been endued with those singular characteristics which ensured for so long a time the popularity of Elizabeth. For his master's personal deficiencies Cecil is not responsible: and, if the sternness of a modern politician should decide, that he ought to have prevented the king from indulging in those expenses of which the nature, rather than the amount, alienated the people, his defenders may refer to the observations already made on the absence of ministerial responsibility; and to the fact that the offensive grants were not lavished upon him or his connections. In modern times, a king cannot, except within very narrow limits indeed, expend at his pleasure the money that has been granted to him. It was not so in the age of James; and remonstrance on the part of a minister, pushed to the necessary extremity, would have led not only, as it would now, to the loss of office, but to a series of vexatious annoyances, and, possibly, to an indefinite imprisonment. It is reported, by no friend of Cecil, that he did remonstrate against the profusion of James; but, if the story be true†, it was only by the arti-

* More to Winwood, 13th and 29th of November, 1611. p. 301. 309.
† See Wilson in Kennet, 688.

fice of placing before James, in specie, the sum which he had ordered to be bestowed upon his favourite, that he could venture to exhibit to the king the extent of his extravagance.

But all the blame of the disagreement between king and people must not be laid upon one side. The commons were not blameless; if the king carried his prerogative too loftily, the commons exhibited too much of republican sternness. Their parsimony, if deserved by the king, was hurtful to the country. In the absence of the distinction made at the revolution between the personal and the public expenses of the sovereign, not only were the ministers, whose means of control were insufficient, punished for the faults of the royal individual, but they were made incapable of effecting politic and even popular measures. Want of energy has been imputed, too freely in our opinion, to the foreign policy of Robert Cecil, but those who censure it should give due weight to these considerations.

I have hitherto said nothing of Ireland. The improvement of that country, was a point in James's administration of which he was accustomed to boast*; and the well-known sir John Davies has affirmed, that, "in the first nine years of James's reign, there was more done in the work and reformation of this kingdom than in the 440 years which had passed since the conquest was first attempted."† Hume adopts this opinion‡, and gives an interesting abstract of the measures adopted. The substitution of English law, and a regular administration of justice for the barbarous customs of the Irish; the establishment of a small but disciplined army; the prohibition of arbitrary exactions from the vassals; and the settlement of the province of Ulster by a company from London, were among the principal of these measures.§

* King James's Works, p. 259. Edit. 1613.
† Sir John Davies's Historical Tracts. Edit. 1736. p. 206.
‡ VI 67.
§ I am told that even at this day, the London companies are the best landlords in Ireland.

I am unable to ascertain the share which Cecil had in the amelioration of Ireland. There is nothing to connect him specially with it, except two letters addressed to him by sir John Davies* (then attorney-general), in 1607 and 1610. From these it appears that some of the most important amendments arose out of a commission sent from England, and that Davies, of whom Cecil had been the constant patron, thought it necessary to address him upon the subject, notwithstanding that he received regular reports as secretary of state; and one of his followers speaks thus of his operations in Ireland: — "What, by his treasurer's and secretary's place, he did in Ireland, in the plantation of the country, and the transplantation of the people, what in the customs, and in abating the charges and garrisons, and how industrious he was to settle an universal course of law and justice in the most barbarous and remote places of that unfortunate kingdom, they that know the country can best witness."†

It was under the administration of Cecil, and probably by his advice, that the order of baronets was instituted. The earliest suggestion of this scheme, proceeded from a quarter to which, so far as I know, it has never been traced. Francis Bacon addressed to the king, in 1606, "certain considerations touching the plantations in Ireland;" in which, after recommending that the undertakers should be men of substance, he adds, "It is not unlike your majesty will think of raising some nobility there, which, if it be done upon *new titles of dignity*, having no manner of reference to the old, and, if it be done, also, without putting too many portions into one hand, and, lastly, if it be done without any great franchises or commands, I do not see any peril can ensue thereof. As, on the other side, it is like it may draw some persons of great estate and means into the nation, to the great furtherance and supply of the charges

* P. 231. 381. † Sir Walter Cope's Apology.

thereof. And, lastly, for *knighthood to such persons as have not attained it, or otherwise knighthood with some new difference and precedence**, it may, no doubt, work with many."

I have not been able to ascertain in what way or to what extent the institution of this order of baronets was made conducive to the settlement of Ulster.†

There remain but two domestic transactions, of very different importance, in which Cecil took any part during the short remainder of his life. Arabella Stuart and her husband, Seymour, escaped, in June, 1611, from their respective places of confinement. "In a passionate hurry, there was a proclamation first conceived in very bitter terms; but, *by my lord treasurer's moderation*," says his secretary, "it was seasoned at the print."‡ This publication called upon all people to apprehend these two unhappy persons, "who had been committed for divers great and heinous offences §," namely, of a marriage against the royal will! It is not easy to conceive what the more violent course was, which had been at first contemplated; but it is satisfactory to find Cecil restraining the violence of James, or his courtiers.

* Bacon, v. 170. He had in 1601 addressed to Cecil some suggestions for the management of Ireland, which are in p. 186. Welder's account of the institution is not every flattering. "£200,000 for making 200 baronets, telling the king he should find his English subjects like asses, on whom he might lay any burden, and should need neither bit nor bridle, but their asses' ears. And when the king said it would discontent the generality of the gentry, he said, 'Tush, sir! you want the money that will do you good, the honour will do them very little.' The answerer says,—'As for the baronets, it was the earnest suit of 200 prime gentlemen of birth and estates, to my knowledge, for I copied the list before ever it came to this lord.' And as true it is that this lord's reception thereto was in the same words which our pamphlet puts upon the king, that it would discontent the gentry, to which themselves replied, 'Nay, my lord, it will rather satisfy them in advance of dignity before others, who now come before those meaner men, whom the king was forced to knight for his own honour, and some merits of theirs, having no other reward or money to spare, and therein not much to blame to oblige them in that way.'"

† Sir Walter Cope says that the project brought 80,000*l.* into the king's coffers, and that this might be increased "if some petty privileges were allowed that should be acceptable to the baronets." I have seen in the Museum, but cannot now refer to, an account of the appropriation of the sum received; *I think* that it went to Ireland.

‡ Winwood, iii. 279, 280.

§ Rymer, xxi. 610.

If, in the other matter Cecil did not moderate the religious zeal of James, he appears to have seconded it rather coldly. This was the well-known case of Vorstius, who, for his Armenian doctrines, was removed, at the instigation of James, from his professional chair at Leyden. This unjustifiable interference was the act of James himself; and Cecil, in his correspondence with sir Ralph Winwood, through whom it was conducted, referred to the communications of the king, without expressing any concurrence or opinion of his own, either on the propriety of the interference, or on the controverted questions. This forbearance relieves me from the necessity of entering into the controversy.*

In March, 1609, the death of the duke of Cleves and Juliers † gave to Cecil a fresh opportunity of displaying the principles of his foreign policy. The succession was disputed between the elector of Brandenburgh and the palatine of Newburgh on the one part, and the emperor Rodolph on the other, who claimed, as lord paramount, the right of adjudication, and sent the archduke Leopold to occupy the territory, in sequestration. The claim of the emperor, as lord paramount, was espoused by the pope; and, as the other pretenders were both protestant, the dispute assumed the character of a struggle between the protestant and catholic religion; and a question, "whether," in the words of sir Ralph Winwood, "the house of Austria and the church of Rome, both now in the wane, should recover their lustre and greatness in those parts of Europe." ‡ The protestant claimants agreed to await the issue of a judicial decision or an amicable arrangement: the English government resolved, at an early period, to support them in the maintenance of this compact, and to render them active assistance, in the case of an actual attack. §

* See Winwood, iii. 290.
† Ib. iii. 2.
‡ Ib. iii. 78. quoted by Hallam, Constitutional History, i. 455.
§ The council, (Salisbury signing first) to Winwood, 14th November, 1609. For his majesty to engage himself more particularly at this time, were

This resolution appears to have originated partly in a general desire to maintain the protestant interest, and partly in an apprehension of the detriment which the Austrian neighbourhood might cause to the United Provinces. On this occasion, jealousy of the house of Austria united the policy of France and England; and, perhaps, some leaning in Henry IV.* to the religion of his youth, induced the French king to espouse warmly the interests of the protestant claimants. Henry's great demonstrations in the favour of the protestant interest occasioned some surprise. "That the French king will make himself a formal party of the religion, and join with princes protestant (and that in solemn and public treaty), against the pope, is a deeper mystery than every man's capacity can conceive."† In order to reconcile the exertion which, notwithstanding his general desire of peace, he thought politic on the present occasion with the embarrassed state of the king's finances, Cecil proposed to employ in this affair only

to strike the drum already, and to make himself an auxiliary, a direct author of a war, which was neither becoming the condition of his state (as he stands in amity or friendship with all other princ[illegible] the quality of his disposition, being a prince, that out of religion and chris[illegible]nity, thought himself rather bound to purchase peace than to be a sti[illegible]rer of war, the consequence whereof would happily (haply?) draw with i[illegible] a greater partaking in Europe than is convenient. In respect whereof, h[illegible] majesty would advise these princes, first to endeavour themselves to come [illegible] some honourable composition by way of treaty, whereto his majesty would as effectually employ himself; and if this could not be obtained, it was represented unto them that his majesty (howbeit, by reason of the distance of his kingdom from the countries now in question, he could not make such proffers and shows, by sending to their frontiers such a number of men as others did, that were more contiguous unto them, and as of late the French king had done, without putting himself to charge, or breaking with his friends, there being many other means to colour these actions, yet) whensoever these princes should be in imminent danger (being actually assailed by any other), they may rest assured that his majesty will be as ready to assist them as any other of their friends whatsoever."—Winwood, iii. 85.; and see 185. 190.

* Cecil wrote thus of Henry:—"Although that great king (who hath means to value himself by many outward things) may have no more meaning to engage himself *à bon escient* than he shall find cause, yet he maketh advantage towards the world by his fair *paradoes*. And indeed, to do him right, he is one of the greatest politics of a king for managing causes of this nature that liveth at this day, having such a mixture of correspondency as he has a pretext for every action, though he frames intents sometimes upon hollow grounds; which I do not note in this, for certainly one of the house of Austria there established, might be an ill neighbour to all that are jealous of him." 14th of August, 1609. Winwood, iii. 57.

† Winwood, 2d of November, 1609. p. 83.

those English troops which were still in the Netherlands.* France was at once told that England could not keep peace with her, though well inclined to act with her in the present emergency.† And hints were given of the necessity of paying her debts, which France took unfavourably, not wishing to buy at so high a price an alliance of which the duration was very uncertain.‡ The preparations of France herself were made upon a more extensive scale, and even induced a suspicion, that Henry had more in view than Cleves and Juliers §; and he has generally been supposed to have contemplated the humiliation of the house of Austria. Whatever may have been his projects, they were cut short by the hand of the assassin. After his death ||, the preparations of France slackened; they were again so much renewed as to revive the suspicion of ulterior designs ¶; but they were finally reduced to a more proportionate scale, so as to augment the desire of Cecil for an amicable adjustment.** Nevertheless, he proceeded in his measures for supporting the interests which he had espoused. The English troops co-operated with the Dutch in retaking the town of Juliers, which had been occupied by the emperor; and Winwood, whose letters do not generally mark him as a courtier, ascribes much of this success to sir Edward Cecil ††, the nephew of Salisbury.

A league among the protestant princes of Germany was afterwards projected, in which England and France were to join ‡‡; but dissensions arose among the princes for whose more immediate benefit it was intended, and France declined to enter into it. Cecil then also withdrew;

* Instructions, 8th of February, 1609-10. Winwood, p. 112—126.
† 8th and 18th of February, 1610. Boderie, viii. 37. and 54.
‡ P. 58
§ Winwood, iii. 17th of November, 1609. 88. and 154.
|| May 4. 1610.
¶ Winwood to Salisbury, 15th of June, 1610. 185.
** 23d of July, 1610 p. 196.
†† Winwood, iii. 210. 22d of August, 1610. He was the third son of Thomas, first earl of Exeter; and was in 1626, created viscount Wimbleton. Collins, ii. 602.
‡‡ 28th of September, Winwood, 222.

"For," he said, "as his majesty doth not profit any thing by this league, but merely undergoeth it for to countenance and strengthen the union made amongst the princes, and to give them reputation towards others from undertaking so easily against them: so his majesty would be loath (if they cannot agree amongst themselves) to have any thing further to do with them; and so thinketh fittest (howsoever his disposition remaineth firm and constant towards them, to do all things that may beseem a true friend, and professor with them of God's true religion) to defer the handling of this league till some further occasion."*

Upon the questions of alliance and repayment of debt, there was a lengthened negotiation. A part of the money was paid, and an alliance, strictly defensive, was contracted† between England and France. If James had really that overweening partiality for Spain which it has been the fashion to attribute to him, this alliance may be taken as an indication of the superior influence of Cecil; but I do not claim for him any peculiar merit, because I am not satisfied that James was, at this time, inclined towards Spain.

Engagements of this nature are seldom politic, but, under all the circumstances of Europe at the moment, it was perhaps advisable to adopt a measure desired by France, which appeared to give additional solidity to a connection which was favourable to the protestant interest, and to the independence of the United Provinces.

During the lifetime of Salisbury, the affairs of Juliers and Cleves remained unsettled; but neither English interests nor Dutch interests suffered any detriment. The alliance with France came not into active operation; but a good understanding subsisted between the two countries.

While these affairs were in progress, there were various proposals for matrimonial alliances between England,

* Lords of the council, 30th of September, 1610. p. 224.
† 29th of August, 1610. Dumont, v. pt. ii. 149.

France, and Spain; but, as Cecil took no special part in these, and the development belongs to a later and very interesting period of history, I do not dwell upon them here.

Lord Salisbury did not live to the close of the parliament, in which the "great contract" was discussed. In February, 1612, he began to show an indifference to public affairs, which particularly appeared in the case of Vorstius.* He had a complication of disorders, and a great depression of spirits, occasioned, perhaps, not more by those disorders than by the uncomfortable position of public affairs.

At the end of April he left London for Bath, accompanied by his chaplain, John Bowles, afterwards bishop of Rochester, and his secretary, John Finett †; and others of his official followers either accompanied or joined him.

The journey occupied six days, a period probably not much exceeding that which would, in 1612, have been occupied in it by a person in health. But it was a most painful journey; nor did frequent changes of posture or carriage afford "any ease that lasted," as his chaplain tells us, "longer than his imagination."

The dying minister was received, each night, at the house of one of the principal persons of the country through which he passed: on the first night he got no farther than lord Chandos's at Ditton ‡; on the second he slept at Caussam, lord Knowles's §, and then at Mr. Dole-

* "My lord treasurer's malady doth daily increase, to the great discomfort of his friends and followers. He hath, besides an ague, a defluxion of rheum upon his stomach, and withal *difficultatem respirandi*; and, which is worst of all, he is melancholy and heavy-spirited, so that it is on all hands concluded that his lordship must shortly leave this world, or at least disburthen himself of a great part of his business." More to Winwood, 17th of February, 1611-12, iii. 337.

† Afterwards knighted, and master of the ceremonies.

‡ Cobham Park is said to have *become* the property of John Bridges, esq. in the first half of the eighteenth century. Possibly, the date is wrong, and if was, in 1612, the property of Gray, fifth lord Chandos. Britton's Surrey, xiv. 206.

§ I think, Caversham, near Reading, must be meant, though I knew not that lord Knowles (afterwards earl of Banbury) lived there. It was afterwards the seat of the Cadogans, who sold it in the reign of George III., I believe.

man's*, at Newbury; Mr. Daniel's†, at Marlborough; and Laycock, lady Stapleton's.‡

At Bath, he tried bathing; and, at first, "discovered much cheerfulness of humour, and decrease of unfavourable symptoms, that his attendants began to entertain hopes of recovery: these were soon dissipated, and, after sixteen days' stay at Bath, lord Salisbury "resolved to return towards London with all his weakness." He set forward on the 21st of May, and was again hospitably received at Lacock.

Of the last days of Salisbury, his chaplain and secretary have each left an account; that of the former § is the more interesting, to those, especially, who set a value upon death-bed testimony borne by celebrated men to the truths of religion. It is from this account that I am enabled to refer, for the first time, to the sentiments of Robert Cecil upon serious matters. His hopes of eternal life, and his consequent indifference to death, were expressed in his very first conversation. Not having so read his Bible as altogether to exclude the moral virtues from the means of obtaining salvation, he did venture, while praying to God for the pardon of his particular sins, to protest with satisfaction, that he had so far performed his duty to his neighbour, as to be enabled to say, that "there never was a man in the world but he could take him by the hand if now he were dying." But we shall see that he placed no undue reliance upon his own merits.

"You know," he said to Dr. Atkins, his physician ||,

* Probably, Shaw House, built by one Doleman, a clothier, who made his fortune, in the reign of queen Elizabeth, and was the occasion of these lines:—

"Lord have mercy upon us miserable sinners!
Thomas Doleman has built a new house,
And has turned away all his spinners."

Britton's Berks, i. 123.

† I can find nothing of this gentleman.

‡ Lacock Abbey, near Chippenham, was at this time the seat of the Sherningtons; a daughter and co-heiress, married sir Robert Stapylton, of Yorkshire. Britton, i. 557.; and Betham's Baronetage, ii. 66

§ Peck's Desiderata Curiosa, p. 205.

|| In London, he had been attended by doctor Theodore Mayerne, who thus describes his disorder:—"C'est une disposition à l'hydropsie compliquée avec le scorbut, lesquels sont deux mauvaises hôtes en un corps

"how I conferred with Mr. Dean of Westminster (George Montaigne, afterwards bishop of Lincoln), and yourself, concerning the state of my soul; how I truly confessed my sins, professed my faith, forgave all mine enemies, made my peace with God, received the message of mercy from you, and had the seal of the holy sacrament. Know ye now, that I have the same faith, I am of the same religion. I doubt not but God will have mercy upon me, for his Son Jesus Christ's sake, although great and many have been my sins; for which sins of mine," he added, in a more questionable sentiment, "God hath laid this sickness upon me."

He expressed great thankfulness for the lingering nature of his disease, "which had weaned him from human thoughts and cares, and had taught him to know there is no happiness upon earth; which made him most willing to die, to come to that blessed place where is no change nor misery. Yet one thing," he added, with a consciousness of previous negligence, "troubleth me, that I could not have come to this resolution, if God had not thus afflicted me."

He expressed so earnestly his desire to avail himself of the mercy that his faith promised him, as to excite an apprehension in his attendants, among whom were now sir Michael Hickes and others, that he would reject the medicines offered; and some of them quoted the authority of St. Paul*, who, though quite ready to die, yet wished to live, for the sake of his Philippian flock. Of this ill-timed flattery Cecil was impatient, and likened himself rather to the lost sheep of the gospel, than to the favoured apostle of the Gentiles. With the exception of some allusions to his servants and children, of whom he spoke with great affection, and with an earnest hope that they would lead religious lives, his speech now consisted entirely of humble confession,

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faible et délicat; mais par la force de son courage invincible, nous ne laissons pas d'avoir espérance de sa guérison, bien qu'elle soit longue et difficile." Winwood, iii. 363.

* Phil. i. 23, 24.

and repentance of his sins, confidence in his salvation through the atonement by Christ, and resolutions of amendment, if it should please God to revive him, of which however, if I form a correct judgement, he had as little of hope as of expectation. He was visited at Bath by his old friend sir John Harrington, then paralytic and a cripple; and to him also he expressed the religious confidence which was uppermost in his mind. To his son and heir, who came to Bath on hearing of his father's danger, he addressed this short and pregnant exhortation: — "Oh my son, God bless thee! The blessing of Abraham, Isaac, and Jacob light upon thee! My good son, embrace true religion; live honestly and virtuously; loyally to thy prince, and faithfully to thy wife. Take heed, by all means, of blood, *whether in public or in private quarrel*, and God will prosper thee in all thy ways." This interview was followed by the sacrament. Such was throughout all this time the energy of his mind, and its direction to the subject of religion, that on hearing that a very good sermon had been preached in the church, he sent for the preacher, and after assuring him that "he embraced, with his heart and soul, the religion publicly professed in this land, and did hope to be saved by the alone merits of Jesus Christ," desired to have the head of his sermon. By degrees his mind began to wander, and his voice to fail; in the last connected sentences which he uttered, there was perhaps something too much of reliance upon the messenger, rather than the message. The chaplain observed that "God had given to his ministers a power to preach remission of sins, and that, according to that faith and repentance which he saw in the dying man, God did certify him by him (the chaplain) that he was in a state of salvation." — "Then," quoth my lord," you have a power."—"I answered," says Mr. Bowles, "Yes."—"From whence?"—"From the church by imposition of hands." — "From whence has the church this power?" — The clergyman answered, "From Christ." — "Oh! that is my comfort; then I

am happy." On Saturday, the 23d of May, the party left Lacock for Marlborough, and on the next day, after having prayed, and apparently in the act of prayer, Robert Cecil sank down and breathed his last, "without groan, or sigh, or struggling." *

It is probable that the near approach of death, and the presence of the chaplain, who now constantly attended him, excited his particular attention to religion: of his private habits, in the previous part of his life, there are no reports, nor any account of him by a religious person; but it were unfair to presume that the opinions and hopes which were developed at this time, had now their first existence in his mind. It was the case perhaps of a worldly man awakened to a closer contemplation of heavenly things, but not of an unbeliever or a reprobate, called by the fear of death for the first time to think of God.

Cecil had undoubtedly been anxious to bring up his children religiously; and I cannot agree with Miss Aikin that the following passage, in one of his letters to his son, "displays the puritanical impressions of the writer:" — "I would not have you forbear to go to Geneva, being so near it, but to spend some week there or ten days, to see the exercises of their religion, though I would not have you think that whatever is more in our church here must needs be too much, because it is more in outward ceremony than that petty state affordeth there. I would only have you learn their inward zeal in your prayers, and attentive hearing of the word preached, observing their avoiding licentious speech and custom of swearing, of which I tax you not; but only wish you to be where you may be confirmed by obser-

* This account by the clergyman, is confirmed by Cecil's lay attendant: — "In all that time his incomparable judgment and memory never failed him (now and then only, nearest his end, in the extremity of his fits, letting fall some wandering words, but far from distracted passion, or any way offending); his soul and mind for heavenly resolution so settled, and his profession that way, expressed in often conferences and prayers with Mr. Bowles (his household chaplain), so clear and Christian, as brought joy in our sorrow, and, in our greatest discomforts, full assurance of his best happiness." Finett, 28th of May, 1612; Winwood, iii. 367. The king, queen, and even prince Henry, sent kind messages and tokens to Cecil during his illness.

vation of the doctrine and the discipline." * "I thank you, and love you," he says in another letter, "for having given so good a testimony to the world, as well as to your conscience, that you are perfectly established in religion, by coming to the Lord's Supper. Do it, I pray you, when you may conveniently, though I require it not frequently; for it may strengthen your faith, and confirm God's grace and mercy. Your wife and sister have done the like at Hatfield, which stopped the mouth of many malicious persons, that spake their pleasure of their long forbearance." †

I shall not attempt an elaborate character of Robert Cecil. Against the libels of Weldon and others, who lived at or near his time ‡, I would set the character which has been drawn of him by sir Walter Cope, and by another contemporary, of whom I know only the name. § I shall be mistaken if the foregoing memoir does not relieve him from some of the obloquy which has been cast upon him by writers even of this day. || I think that I have shown that the charge of "treachery towards all his political opponents," is quite unsupported, nor is the charge of political duplicity, though to be found every where, more effectually sustained. "Rapacity" in the office of treasurer, has not even

* Aikin, i. 401. This lady gives other extracts, well worthy of perusal. In one, Salisbury urges his son "to confirm himself, even in his youth, in true faith, and knowledge of what he believed; not like the child of a gross papist, who preaches ignorance and gross corruption, instead of understanding of God's word, or true religion." Others shew the anxious and minute attention which Cecil paid to his son's education.

† Lansdowne, 4161. art 22.

‡ See Osborne in Sec Hist. i. 231, &c. Weldon, ib. 313. See also Chamberlayne's letter in Nicholls's Progresses of James, ii. 445.

§ Appendix; and see Aulicus Coquinariæ, in Sec. Hist. ii. 105.

|| A recent biographer of sir Edward Coke has brought three charges against Robert Cecil: — 1. For withholding assistance from Coke, when deprived of his office; 2. For prostrating his dignity before Somerset; 3. For a similar baseness in respect of Buckingham. I answer, 1. That Coke's suspension took place four years after Cecil's death. 2. That Somerset had scarcely attained any power before the year 1612 (in which Cecil died); and that Cecil was, even according to his calumniator Wilson, so much Carr's enemy, as to have interrupted the royal profusion towards him; and that there is not a tittle of evidence of any servile or even friendly intercourse between them. 3. That Buckingham never saw the king's face till 1614-15. These unaccountable errors make it unnecessary to pursue Mr. Johnson further, or to ask on what authority or evidence his character of Cecil rests. See Johnson's Life of sir Edward Coke, i. 350.

plausibility to sustain it. * Nor is Cecil justly charged with a peculiar disregard of public liberty. † He never sought popular applause; and popularity, I fear, is seldom won unsought, especially by a man deformed. Bacon said truly that "he was a fit man to keep things from growing worse, but no very fit man to reduce things to be much better." ‡ His official talents are on all hands allowed to have been great, and, judging from his correspondence, I should say that his literary accomplishments were not inconsiderable. He was not a hero, nor a genius; but he was a faithful, able, and incorrupt minister, — a mild, placable, and amiable man §; and though assuredly not faultless in either character, he may boldly stand a comparison with most of those who have occupied his station.

* For a minister to make a fortune was, in those days, as much a matter of course, as it is now beyond possibility. Robert Cecil built Salisbury house in the Strand (Brayley, Londiniana, ii. 333.); his father built Burleigh house.

† Miss Aikin (from whose book the passages in the text are taken) has transferred to her attractive pages the foolish calumnies of Weldon, who accuses Cecil of "burning a cart-load of precedents, which spoke the subjects' liberties;" and though she admits that these and other equally ridiculous statements are "unsubstantiated," she herself accuses Cecil, without any authority given, of "detestable doctrines promulgated on the state trials," and an atrocious and shameless assertion, that "torture might justifiably be inflicted on free-born Englishmen." (i. 396, 397.)

‡ Letter to the King, xii. 281.

§ In addition to what is said by his eulogists, I would cite a letter from the earl of Northumberland (Collins, ii. 338.), who says that Cecil was "unwilling to be in the star chamber, further than duty commanded, where nothing was to be pronounced but lashings and slanderings, fines and imprisonments."

APPENDIX.

A.

Letters from Sir Robert Cecil to Michael Hicks.

No. 1. — Endorsed "Concerning a secret favourite." Lansdowne MS., Vol. 77. No. 78.

MR. HYCKS,

Things past are known unto you, and the more the difficulties were, the more contentment now to remember them, being overcome. That which is to come, I pray you to take care of, which is especially that I may not be known to have had any particular dealing in the matter, more than out of the conceit I had, that his worth justly entitled him to this fortune; for it will disable me to do him or others pleasure hereafter, by any access to her majesty's ear, which now I so used, as her majesty cannot suspect that I looked to any thing but her service; which as I profess and protest I did and do, most of any thing in all my recommendations, so do I not deny to myself that liberty, that, when other things concur, my friends are not nearest me, in my wishes and honest endeavours. The party named, and even in the instant to be elected at Wymbleton (which you know best how it was deferred), is surely a worthy man, and one of whom I ever would be loath to be mis-judged, and therefore do only take care of this; that with silence he be content to enjoy my true friendship, which will be most honourable for him, and most agreeable to my humour. I hear that divers about my L. do

tell him of my furtherance in it: you can guess how it comes, but by over-hearing me at one time when it was most in danger, for otherwise more than that I cannot avoid their speeches to me. I have not discovered any particular, divided affection, more than that I knew not, whereof such a pair — any one might be elected, and no choice to be discommended. I refer all other things to yourself, and if your discretion fail me, I shall alter my faith; and so scribbling hastily, I will send it you unread over, because I know it shall be buried. The eyes of men will now be more vigilant, and their tongues more frequent in the exercise of discourse of his proceedings, in the cradle of this fortune, than it will ever be in any time after, when he hath passed over three or four months discharging the place.

Your friend,
Ro. Cecyll.

If there be any secret cause to be dealt between us only I will have you used, but for common courtesies and ordinary occasions let him not make it a stranger, for he is honest and of good nature, but yet in all things I would make some difference.

No. 2. — Lansdowne MS. Vol. 87. No. 80.

Mr. Hickes,

I am not persuaded that I shall have any leisure; if I have, you have shewed me a fair way through to your troubles. For Pyndar I have moved the Q., who is so far from giving any thing out of the purse for the present as she was angry to be moved, noting the agent for a fool that would send it by an express messenger, when so many other ways might daily be found to send it by the merchant's ships. But I will do the best I can in the other matter, which I think is good for the Q., and yet till it be known who shall be the company, the old or the new, nothing can be done. To conclude, you know I would do any thing to any man, that may be good for

you, but in these things which depend on the Q., I can do no more than is in my power, which for private things is nothing.

Your loving friend,
Ro. Cecyll.

Endorsed,
To my very loving friend,
Mr. Michael Hickes.

No. 3. — Endorsed, "He would take no advantage of his authority to punish one who had killed his deer." —Lansdowne MS., Vol. 87. No. 65.

If I had known your desire yester-night, I would have spoken to my lord, but I will to-morrow, for I assure you for mine own part I never liked the courses of that matter, but this to yourself. For my deer that are killed, what I can do by law I will prove; but otherwise I will revenge myself by no other means under colour of authority, being in mine own case.

Your loving friend,
Ro. Cecyll.

No. 4. — Lansdowne MS., Vol. 88. No. 41.

Mr. Hycks,

I send you this to read and return, in which, if you will have me do any thing, I would be glad, as in all things else; Flynt tells me that he finds now great store of springs. If he do, I will once more give as good cause [to those] that are my friends to pray for me, *as the scholar of Cambridge had to pray for the mayor*. If you hear any bruit that the Sp[aniards] are landed, do not you believe it; well it may be twenty dayes hence, but if then, few in numbers.

Your loving friend,
Ro. Cecyll.

No. 5. — Earl of Salisbury to Sir Michael Hickes; thus endorsed, "Answer to my Letter touching my Servant Robert, who had stolen a Gentlewoman."

(Lansdowne MS., Vol. 90. No. 69.)

SIR MICHELL,

Though mine eyes be at this time sore, which makes me use another hand, yet my head serves me so well, as I can judge it fitter for me to quit my love of music, which pleaseth mine ear, than to protect lewdness in this kind, where the offence is not to me, but *secundum quid;* but simply and originally to others, whose case may be yours and mine. To conclude, therefore, sir, I hate the fact so much to steal away any man's child, as I am sorry it is not death by the law, seeing he that cuts my purse with fourteen-pence shall be hanged. I am a master of wards; I am a counsellor of state, and in my private conscience opposite to all fraud; if now I favour him, it will both confirm in the world (as it doth in me) that he would not have offered it, but in hope of my protection to bear him out; in which I will deceive whosoever shall most believe it; and for mine own part, mean to be no broker in their bawderies.

To yourself I say no more than I have said to greater persons; for your journey I can give you no other instructions than to entreat you to use no speech, as if I were any particular furtherer of these jurors or ale-projects, for I thank God I am not other than as the rest of my fellows, being rather sorry to what our necessity presseth us; next I pray you take heed you do not over-spend yourself, for this is a hard world. And so I commit you to God.

Your affectionate old friend,

SALISBURY.

No. 6. — Lansdowne MS., Vol. 107. No. 37.

MR. MICHAEL,

I have not leisure to answer the fruits of your idle bald pate, which hath been read by those you left together, till our bellies

burst almost with laughing; for more cogging descriptions, more knavish constructions, more wicked interpretations, or ungrateful acceptations of our honest, gentlemanly, and friendly entertainment, could no pen express. Your mother hath lent me a suit of hangings, which she sends me word withal, that she hath kept them for Michael these thirty-two years; and if he will not marry, and that I do know so much, she will then make me a conveyance of her house, and her stuff; this, I swear to you, from her I received this day; and I believe you will swear that I am not like to refuse such an offer for foolish baby kindness to you my friend; neither is there any here that doth advise me to reject the kindness. For the matter on Sunday promised, I will believe it the Monday after; and on the Tuesday following I will conceive you may prove an honest man, when miracles fly abroad. Send me word how my lord doth, and in time and season, thanking Coppin for his willingness to pleasure me; desire him to let his lo. know my wife and I, according to our duties, send to hear how his lordship doth; and thus in haste I leave you to God.

Your friend,
Ro. Cecill.

Mrs. Mackwylliams commends her to the clerk of kytchyn, which commonly carries the badge of a white crown. And poor Bess Cecill will know you, she saith, for a cozener, in leaving her your polpate instead of a French crown.

B.

The Letter to Squire, Servant to the Earl of Essex. (See p. 67.)

Squire,

My advice to thy lord and master shall be as a token wrapped up in words, which then will shew itself fair when it is unfolded in his actions. To wish him to change from one humour to another, were but as if, for the cure of a man in pain, one should advise him to lie upon the other side,

but not enable him to stand upon his feet: if from a sanguine, delightful humour of love, he turn to the melancholy, retired humour of contemplation, or a turbulent, boiling humour of war, what doth he, but change tyrants? Contemplation is a dream, love is a trance, and the humour of war is raving. These be the shifts of humours, but no reclaiming to reason. I debar not studies nor books, to give him store and variety of conceits, to refresh his mind, to cover sloth and indisposition, and to draw to him, from those that are studious, both respect and commendation; but let him beware they possess not too much of his time, that they abstract not his judgment from present experience, nor make him presume upon knowing much, to apply the less. For the wars I deny him no enterprise that shall be worthy in greatness, likely in success, or necessary in duty, not impeded with any circumstance of jealousy, but duly laid upon him; but I would not have him take the alarum from his own humours, but from the occasion; and I would again he should know an employment from a discontinuing; and for his love, let it not so disarm his heart within, that it make him too credulous of favour, nor too tender in unkindness, nor too apt to depend on the heart he knoweth; yea, in his demonstration of love, let him not go too far. These silly lovers, when they profess such infinite affection and obligation, they tax themselves at so high a rate, as they are ever under arrest; it makes their service seem nothing, and the least cavil a great imputation. But what, Squire, is thy master's endeavour? If to make the prince happy whom he serveth, let the instructions of employed men, the relations of ambassadors, the treaties between princes, and the actions of the present times, be the books he readeth; let the orations of wise princes or experienced councillors, in council or parliament, and the final sentences of grave and learned judges, in weighty and doubtful causes, be the lectures he frequenteth; let the holding of affections in confederacies without charge, the frustrating the attempts of enemies without battle, the cunning of chief ministers without jealousy, the entitling the son to new possessions without shew of revenge, the filling of the prince's coffers with treasures without grudging, the sup-

pressing of tumults and seditions without violence, the keeping of men in appetite without impatience, be the inventions he seeketh out; let policy and matters of state be the chiefest, and almost only thing he intendeth.

But, if he will believe Philantia, and seek most his own happiness, he must not of them embrace all kinds; but make choice, and avoid all matters of peril, displeasure, and charge, and to turn such over unto novices, who know not manacles from bracelets, nor burthens from robes.

For himself, let him set abroach matters of commodity and strength, though they be joined with envy; let him not trouble himself too laboriously to sound too deep into matters, or to seek to execute any thing too exactly, but let him make himself cunning rather in the humours and drifts of the present persons that are employed, than in the natures of businesses and affairs; of that it sufficeth to know only so much as may make him able to make use of other men's wits, and to make a smooth and pleasing report of the same: let him extenuate the propositions of others, and ever rather let him have an eye to the circumstances in the delivery of his speech, than to the matter itself, for then he shall ever seem to read somewhat of his own; and besides, when a man doth not forget so much as a circumstance, men do think his wit doth super-abound for the substance.

In his counsel, let him not be confident, for that will make him obnoxious to success, but let him follow the wisdom of oracles, where his was uttered which might be applied to the event; and ever rather let him take the side which is likeliest to be followed, than the soundest, lest every thing should seem to be carried by his direction.

To conclude, let him be true to himself, and avoid all tedious reaches of state, which are not merely pertinent to his particular; and if he will needs pursue his affection, and go to his course, what can so much advance him in his own way. The right of war is too outwardly glorious, to be inwardly grateful; and it is the *exile* of his eye, which, looking with such affection upon the picture, cannot but with infinite contentment behold the life.

But when her majesty shall perceive his endeavours are

become a true supporter of her, a discharge of her care, a watchman of her person, a scholar of her wisdom, an instrument of her operation, and a conduct of her virtue, these, with his diligence, access, and patience, may move her to give him further approaches and degrees in her favour, so that I conclude I have traced him the way unto that which hath been granted but to some few. And so rest.

C.

No. 1.—*Character of the Earl of Salisbury by Sir Walter Cope*;—from Gutch's Collectanea Curiosa, i. 119.

"He was by nature mild, courteous, and affable; and if, tired of affairs, or impatient of idle motions or impertinent answers, he had been moved to make a sour reply, he was in this, like his father, ever proud of an opportunity to give unto the meanest due satisfaction. In his wisdom, he was able to distinguish between truth and falsehood; his eyes could pierce through the mists and veils of the darkest causes; quick of conceit, easy of delivery, so full of providence and industry, as he never suffered occasion to turn her back. He was plentiful in alms, charity, and good works, full of honour, and honest to his friends, and no malicious persecutor of his enemies. He loved justice as his life, and the laws as his inheritance. He loved equity as the true umpress between them both, and moderation of extremes. The heart of man was never more free from baseness or bribes; he hated the bribe and the taker. * * * * So clean his hands were of corruption, that I supposed rumour and report would have been afraid once to have raised such slanders on him."

No. 2.—*The Character of Robert, Earl of Salisbury, Lord High Treasurer of England, &c.; written by Mr. William Turner, and dedicated to the most understanding and the most worthy Lady, the Lady Theodosia Cecil.* *

(Harl. MS., No. 36. fol. 495.)

He came of a parent that counselled the state into piety, honour, and power.

He did inherit his father's virtues, and therefore was called to succeed him in his offices. He had a full mind in an imperfect body; to tell a country, that ornament is not his best part, or should not be

In a chair, he had both a sweet and a grave presence, as if nature, understanding how good a counsellor he would make, gave him no more beauty of person any where else of purpose, because it should not remove him into action. Had his body been an answerable agent to his spirit, he might have made as great a captain, as he was a counsellor; for his pleasures of exercise were industry and expedition.

Courage was brought up with his understanding; and they agreed so well, that, his mind being great enough, they dwelt commodiously together; for he knew himself in a just way, and he never went out of it, either for public danger or private threatenings, which were many and bold upon him.

He was so ingenious, as to have the best measure and use of wit; for it did help to bring him the nearest way to the ability of judgment. He was sufficiently learned for his calling; and learning appeared the more in himself, because He loved it in another man. His words, either in speaking or writing, never passed by the sense without calling in to the understanding, nor ever went thence without leaving an impression; for, besides their weight, they were delivered with such a dexterity of clearness, that they were both sweet to a curious ear, and easy to a common, being guilty neither of rudeness nor affectation. He never put men to the pains of

* I think that the person so designated must be Theodosia, daughter of sir Andrew Noel, and wife of sir Edward Cecil (afterwards viscount Wimbledon), third son of Thomas, second earl of Exeter.

reading him twice over; for they took pleasure in repeating him often, which they might do with as little expense of time as the most of other men once, so much the readier way he went to the matter; and notwithstanding he took not so large a scope to express himself in, yet him they read more than once, because they were satisfied; other men (for the most part), because they would be sometimes. The less he did seem to be eloquent, the more he was, for he did not confine speaking well to one law of phrase or style, but varied his method in it according to the bringing up of the person he conferred with, and the nature of the argument, whereby he cleared it a passage to the hearer's apprehension, were he of a quality either learned or unlearned: the learned he gave satisfaction unto; to the unlearned he did give both a satisfaction and a capacity to be satisfied. He took up the knowledge of no cause in matter of right, that fell within the question of his office, upon credit, for he would hear the parties themselves.

He was a discommodity sometimes to the lawyer, but an assistance to the law; for he brought many adversaries the direct way to an agreement, and saved law the travail of going about. There was no difficulty to get access to him, but through the praise of suitors.

He did help most men to speak to him, for before they had delivered themselves of half their meaning, his apprehension was at the end of it.

A mean man could not be discountenanced before him, for his courtesy stood before his greatness. He took not the name of God in vain in a promise, for his promises were limited to good ends, and so far he performed them.

He gave much every year away to keep men from bribing him, for he sent presents back again when they might be suspected of corruption.

He was ignorant in no state so much as in his own, which shows that he regarded the public good above his private, the truth whereof appeareth in one of his servants' ability and faithfulness, which (he acknowledged), had repaired his private estate, when, by his continual labour in the affairs of his office, it was neglected almost into ruin He was not covetous

unless it were for the king, for he parted voluntarily with a great benefit, to enlarge the king's revenue.

He had the most safe policy in him that can be in an eminent subject, for he did not affect popularity.

And therein he was as faithful to the state as to his own ends; for popular love belongs only to majesty.

He was the best president of a public ministry that a king can propose to be followed, for he carried his counsels of moderation, like the king's thoughts, so reservedly to him, that every effect of graciousness was, as it always ought to be, attributed to sovereignty, and those of justice so openly, that severity was accounted his own; whereby, the people, understanding him only in what they love not to feel, it grew to be a cause of their malice to him; yet he lost not the reputation they owed him; for when any change happened in the body or head of the state, subject to the confusion of advice by the uncertainty of issue, they distrusted their own affections, and believed in his judgment, putting themselves into his file, and following with such a suddenness and such a necessity (as it were) of resolution, as if they had been born to say, This man doth not err; so powerful is the wisdom of a counsellor that makes it one of his grounds to hold the love or hate of the people vain, for which they can give no reason. And their opinion of his understanding took great pity of their own ignorance, for it was a study of his providence to suppose every point of state into all the dangers and exigents it might be necessarily induced, and carried an appointment ever about him to serve the success.

To know him is as much as need be required to exemplify a statesman into sufficiency; for it was the fortune of his employments to have an honourable practice in affairs of all kinds that can be accident to a state, but only a civil war, wherein his judgment was the more worthy, for he prevented it. He affected so much the act of worth above the name, that I dare persuade myself some advices which, in private, were his wisdom, have come forth another man's.

He never wrote down an injury done him in red ink; the arms he wore were only defensive, which (nevertheless), might happen to do hurt, when they did no wrong; for no guard

can be maintained without offending, if it be violently intruded upon. He did favours to many, and received favours but of one, besides his parents; for he was beholden to no other subject for his advancement. He depended on majesty without the mediation of any second greatness, which is an honour the most noble to a man's self, and the surest to his king. He was the enjoyer of one happiness that all men naturally seek to retire into, but seldom opens to any, and the most uneasily to a statesman; he met with the conversation of a man whom he durst belovingly call his private friend.

His own plenty could not make him insensible of other mens' wants; for, in times of dearth, he sent his officers into markets, to give dearly to the seller, and to sell cheaply to the buyer.

He was a profitable master to every one of his servants that did not abuse his bounty. His religious faith is set down in his Testament as well as any holy knowledge can deliver it, and he that will not believe the word of a dying man in perfect strength of mind, deserves not to be carried with credit to the grave.

His making ready to die, was the greatest blessing of his life to him, for he never went to bed without cares till then, but had alarms every where to wake him, save in his conscience; when death came to be his business he was in peace, and so died. He that shall succeed him in his place, may be ambitious to follow him in his way, for the honour of this transcended the dignity of the other; all the discouragement he can meet with in his passage, will be through their constructions, whose breasts are too narrow to entertain so spreading a merit; yet that should be no strong impediment, because (for aught I hear), it hath not pleased God to give any of his detractors the wit to express themselves well against him.

GVIL. TOURNEUR.

D.

The State and Dignity of a Secretarie of Estates Place, with the Care and Peril thereof, written by the Right Honourable Robert, late Earl of Salisbury; with his excellent Instructions to the Earl of Bedford for the Government of Warwick; — a Work worthy of Memory.

(London, printed in the yeare 1642. *)

* * * All officers and councillors of princes have a prescribed authority by patent, by custom, or by oath, the secretary only excepted; but to the secretary, out of a confidence and singular affection, there is a liberty to negotiate at discretion, at home and abroad, with friends and enemies, in all matters of speech and intelligence. All servants of princes deal upon strong and wary authority, and warrant of disbursement as treasurers, in conference with enemies as general, in commissions, in executing offices by patent and instructions, and so in whatever else; only a secretary hath no warrant or commission, no, not in matters of his own greatest particulars, but the virtue and word of his sovereign. For such is the multiplicity of actions and variable motives and intents of foreign princes, and their daily practices, and in so many parts and places, as secretaries can never have any commission so long and universal as to secure them. So, as a secretary must either conceive the very thought of a king, which is only proper to God, or a king must exercise the painful office of a secretary, (which is contrary to majesty and liberty), — or else a prince must make choice of such a servant of such a prince, as the prince's assurance must be his confidence; the secretary and the secretary's life, his trust in the prince. To deal now with a prince *tanquam infra futurum*, cannot be a rule for a secretary; for all that he hath to trust to, is quite contrary, which is, that his prince will be *semper idem*.

All strange princes hate secretaries, all aspirers, all con-

* I found this in a vol. in the Museum, lettered "Tracts, 773."

spirers, because they either kill these monsters in their cradles, or else track them out where no man else can discern the print of their footing.

Furthermore, this is manifest — that all men of war will malign them, except they will be at their desires.

Their fellow-councillors envy them, because they have most easy and free access to princes; and wheresoever a prince hath cause to delay or deny to search or punish, none so soon bear so much burthen.

Kings are advised to observe these things in a secretary: — First, that he be created by himself, or of his own raising; secondly, that he match not in a factious family; and lastly, that he have reasonable capacity and convenient ability.

On the other side, the place of a secretary is dreadful if he serve not a constant prince; for he that liveth by trust, must serve truly; so he that lives at mercy, ought to be careful in the choice of his master, that he be just, and *de bonâ naturâ.*

But for those of poorest quality, who have no other existence, nor can ever look for equal blessedness, them the jealousy of a prince hath never beheld suspect, but mere contempt.

As long as any matter, of what weight soever, is handled only between the prince and the secretary, their counsels are compared to the mutual affections of two lovers, undiscovered to their friends; when it cometh to be disputed in council, it is like the conference of parents, and solemnization of marriage; the first matter, the second order; and indeed the one the act, the other the publication. If there be then a secretary whose state can witness that he counselleth not for profit, and if his careful life and death shall record it that love is his object; — if he deal less with other mens' suits, whereby secretaries gain, than ever any did; — if he prefer his majesty and despise his own; — if such a one should find that his life could not warrant him, no, not against the slanders of those wicked ones, when he must use only them, surely that secretary must resolve that the first day of his entry is the first day of his misery; for if he be not worthy of trust, he is less worthy of life; and a suspicion of a secretary is both a trial and condemnation, and a judgment.

THOMAS OSBORNE, EARL OF DANBY AND DUKE OF LEEDS.

16[illegible]1—1712.

THE statesman whose life I now propose to narrate, filled the highest posts, and was concerned in the greatest events, during two reigns and a revolution: he exercised great power; and, if not the leader of a numerous party, was certainly led by no other man.

Thomas Osborne, who became successively earl of Danby and duke of Leeds, was the eldest son of sir Edward Osborne, a baronet of Yorkshire, whose grandfather laid, in the reign of Elizabeth, the foundation of greatness, by an act of bravery and humanity. He was an apprentice to sir William Hewit, one of the most considerable merchants in London, and possessed of an estate of 6,000*l.* a year. Anne, the only child of the citizen, was accidentally dropped by her nurse from the window of his house on London bridge. Young Osborne jumped into the river, brought the child safe out, and afterwards, according to the laws of romance, married her, came into possession of estates in Yorkshire and Essex, and probably of a round sum in ready money; and ultimately became sheriff * and lord mayor † of London, a knight, and one of the city members.‡

Sir Edward Osborne was a royalist, and a follower of Strafford. His wife was Anne, widow of Thomas Middleton, of Yorkshire, esquire, and daughter of Thomas Walmsley, of Dunkealch in Lancashire. She was heiress, through her mother, of the ancient family of Neville, lord Latimer.§

* 1575. † 1582. ‡ 1585. He died in 1591.
§ Collins's Peerage, i. 255.

Of the education or early life of Thomas Osborne, nothing is known, except that he and sir William Temple were "young travellers, and tennis players together in France."* It is probable that the monarchical principles of his family had kept him in the country, or abroad, unconcerned in public affairs, from his accession to manhood until the restoration of the royal family.† Nor was he a member of the convention. His first appearance in public life was at the age of thirty, when, in the life-time of his father, he became member for the city of York in the long parliament, which met on May 8th‡, 1661. Clarendon was now the principal minister of Charles II.

Burnet § speaks of Osborne's being concerned with others, soon after the Restoration, in offering to the king an augmentation of revenue and power; in which scheme they were thwarted by Clarendon. But that historian himself says nothing of this. If the story be true, it shews that Osborne was from early life an advocate for the crown.

He had "always," according to the same contemporary testimony, been "among the high cavaliers." || Yet we are told that one of his earliest votes was in opposition to a bill introduced into the Oxford parliament of 1665, for obliging all persons to make the declaration enjoined by the corporation act, act of uniformity, and militia act, of the unlawfulness of taking up arms against the king, or persons commissioned by him.

Certainly a man might have a reasonable and even a zealous attachment to the monarchy, and might hold that, in the days of Charles I., the cavaliers were in the right and the roundheads in the wrong, and might yet refuse to call upon all men to declare upon oath, that resistance to the sovereign could in no case be lawful.

* Life of Temple, i. 423.

† Some time before the Restoration, and probably soon after he came of age in 1652, Osborne married Bridget, second daughter of Montagu Bertie, second earl of Lindsey, who had fought for Charles I.

‡ Parl. Hist., iv. 200.

§ I. 435.

|| ii. 12.

But I am afraid that there was not, either in the character of Osborne, or in the times, sufficient of political refinement for these distinctions. If the vote was given, it must probably be ascribed to the spirit of opposition, operating in a young mind.

The party which Osborne joined on this occasion obtained a small majority; but I cannot recognise "the very remarkable providence," by which, according to John Locke, the bill was thrown out.*

Besides this, nothing is recorded of his votes in parliament, or political attachments, before the year 1667, when he took an active part in the proceedings against lord Clarendon. By his countryman, sir John Reresby†, he was considered as the principal enemy of the minister in the house of commons, as Buckingham ‡ was in the house of lords. Clarendon himself, indeed, considered him as "a dependent, and creature of the duke;" and says, that he had told many persons in the country, before the parliament met, that the chancellor would be accused of high treason, and if he were not hanged, he would be hanged himself.§

But one Wren, secretary to Buckingham, reported that the king, when asked by the duke whether Clarendon had advised him to govern by an army, had denied it, and had declared his intention to stop all proceedings against his minister. This report disheartened the prosecutors; but Osborne, as Clarendon tells us, then went to the king, and informed him what Mr. Wren had confidently reported in all places, "which very much dissatisfied that party that desired to do him service, so that they knew not how to behave them-

* He says, that Mr. Peregrine Bertie, in taking his seat that morning, had been introduced by his brother and sir Thomas Osborne, and that the three turned the scale. This is true; for the numbers, which were 57 to 51, would have been 54 on both sides, if the three had voted the other way. But P. Bertie was the only new member, the others only assisted at the ceremony of his introduction, and would have made a majority without him. But there is no ground for disputing the main fact. See Locke's letter in Parl. Hist., iv. 328., and App. xl. and Jour. viii. 622.

† Memoirs, p. 14.

‡ George Villiers, second duke of Buckingham, celebrated by Dryden and Pope, and latterly by Scott.

§ Clarendon's Life, iii. 309.

selves." The king then disavowed Wren, and hereupon the committee was again revived.

The journals show that Osborne was actively engaged in the prosecution, with Mr. Seymour (afterwards sir Edward). He was teller for the majority against the reasonable motion, "that the heads of the accusation brought in against the earl of Clarendon be referred to a committee, to take the proofs and report.* There is a similar indication of unheeding factiousness, upon the unsuccessful motion to impeach lord Clarendon for high treason, upon an article of charge † vaguely stated, with no proof of the facts, and more than doubts as to the law.

Nothing could be more vague than the grounds, for it would be a mockery to call them evidence, upon which the charges were to be supported; and to Osborne certainly belongs a full share of the blame attached to these reckless proceedings in a criminal case. The eleventh charge, for the sale of Dunkirk, was thus supported. — "Sir Thomas Osborne said that *a great lord told him* that the earl had made a bargain for Dunkirk three quarters of a year before it was known." And there are other instances equally trifling.

As he is said to have been a copious as well as plausible speaker ‡, he probably brought his eloquence to bear upon the falling minister; but nothing is recorded but a few notes of one of his speeches: — "The king ready to change his religion. No money remaining! No person in employment but who can buy it. We are upon our last legs; no one man ever had more employments. Threaten any man that gave advice, — no vessel to swim without his hand at the rudder. No

* Nov. 6. 1667. Jour. ix. 15.

† "That Edward, earl of Clarendon, has designed a standing army to be raised, and to govern the kingdom thereby; advised the king to dissolve the present parliament, to lay aside all thoughts of parliaments for the future, to govern by a military power, and to maintain the same by free quarter and contribution." Journ., ix. 16. 18. Parl. Hist., iv. 374. 382. State Trials, vi. 432., where there is a much fuller report of the debate. See also Hallam, ii. 494. 497. Clar. Life, iii. 252. 307. 315. 383. Hallam says truly, that Clarendon owned to having advised against summoning parliaments, and for levying contributions in a case of emergency.

‡ Burnet, ii. 12.

money issued out of the treasury without his approbation. Sir William Coventry brought order out of the chancellor's closet, when the king was with him. If any other men had the thoughts, they had not the power. He has no pique against him, but as he is one of the 400 of the house of commons thought by the chancellor useless and inconsiderable."*

The refusal of the lords to entertain the articles as an impeachment for treason, and Clarendon's departure from the kingdom, led to the substitution of a bill of banishment, which Osborne, no doubt, warmly supported. I am sometimes inclined to think that this bill, and perhaps other bills of the same nature, have been too severely censured, or censured upon wrong grounds. When an accused minister puts an end to proceedings which have been commenced against him, by withdrawing himself, he may fairly be deemed to have "let judgment go by default."

In the present case, however, it is said that Clarendon withdrew in consequence of a peremptory command from the king†; a command which in our days would be an idle word, but which in 1667 was deemed unquestionable. Clarendon himself did not assign this cause of his departure, which he ascribed to "the differences between the two houses, with the power and malice of his enemies, who gave out that they should prevail with the king to prorogue and dissolve this parliament in displeasure, and threatened *to expose him to the rage and fury of the people;* and he might therefore be looked upon as the cause which obstructed the king's service, and the peace and unity of the kingdom." ‡

The apprehensions of Clarendon are not here very precisely stated; but his son tells us that he feared that, after parliament was dissolved, he should be left (not to the fury of the people, but) to be tried by a select number of peers, probably his declared enemies.§ Whatever we

* Nov. 7. 1667. Parl. Hist., iv. 382.
† See Lingard, xii. 182.
‡ Clarendon's Petition and Address to the Lords, Parl. Hist., 397–8.
§ Carte's Ormond, ii. App. 39.

may think of these reasons for absenting himself, the commons were justified in deeming it a flight from justice.

Another ground was stated in debate, upon which *ex post facto* bills are justified in cases of treason. Mr. Vaughan (afterwards chief justice) was of opinion that the counsel given to the king to govern by an army was treason at common law; and he appears to have held that as such it was reserved as treason by the statute of 25 Edw. III. Others thought, and surely that is the sounder opinion, that it rested with parliament (the king and two houses) to declare what was treason. And Blackstone *, following sir Matthew Hale, supposes the very vague clause of the statute † to contemplate *a declaratory act* in each. But, as I read the statute, the proceeding in parliament, whatever it may be, ought to proceed upon a case of doubt or difficulty stated by the judge of a court below, and the thing done must be such as to constitute felony, if it be not treason. I cannot pursue this legal question further; I am only anxious to show, that the measure, in which Osborne took a leading part was not altogether without vindication.

An ill opinion of Clarendon was not confined to a party in the house of commons, or to the followers of the duke of Buckingham. Sir William Temple, reporting the opinions of the conversers at Brussels, in which apparently he concurred, represented Clarendon as not only the enemy of Spain, but a *dependant upon France*; —"His majesty has freed himself from a minister who was a great occasion of the people's discontent, and who had personal interests distinct from those of his majesty and the kingdom." ‡ A dislike of the

* Book iv. c. 6.

† "And because that many other like cases of treason may happen in time to come, which a man cannot think or declare at this present time, it is accorded, that if any other case, supposed treason, which is not above specified, doth happen *before any justices*, the justices shall tarry without any going to judgment of the treason, till the cause be shewed and declared before the king and his parliament, whether it ought to be judged treason or any other felony."

‡ Temple to Lord Arlington, Sept. 16. 1667, in the Life of Temple, 1836, i. 130.

French connection, a leaning towards Holland, and to Spain as interested with Holland in the preservation of the Netherlands from France, were now the favourite principles of foreign policy in England. To these Osborne was attached, from the first period in which we hear of him in connection with foreign affairs. In Clarendon, then, he opposed a minister of politics differing from his own. As "an old cavalier," Osborne was devoted to the church of England, and so far he may be said to have been of Clarendon's party; but that minister had lost his credit with the old cavaliers, who accused him of neglecting them after the Restoration. In the abhorrence of popery, daily becoming more violent in England, and soon afterwards the main principle of opposition to the court, sir Thomas Osborne largely participated.

Such were the sentiments of Osborne when he commenced his official career. In April 1667, he had been appointed one of the commissioners for examining the public accounts *; this commission was one of Charles's concessions, and the board was composed in great part of popular members of parliament. But it was then that, according to Burnet †, he was brought to the king, by whom it is not stated — to claim merit, at Clarendon's expense, as one of those who at the Restoration had been willing to aggrandize the crown.

In 1670 he was appointed to the office of treasurer of the navy, jointly with sir Thomas Lyttleton; he afterwards became sole treasurer ‡, and a privy councillor. §

His first appointment took place just at the time at which the triple alliance, founded upon the policy which

* Kennet, iii. 286.

† Many members of the house of commons, such as Clifford, Osborne, Ker, Littleton, and Seymour, were brought to the king; who all assured him that, upon his restoration, they intended both to have raised his authority and to have increased his revenue; but that *the earl of Clarendon had discouraged it*, and that all his creatures had possessed the house with such jealousies of the king, that they thought it was not fit to trust him too much nor too far. — ii. 461. This is one of Burnet's unsupported statements. Clarendon himself says nothing like it. See Harris, iv. 344.

‡ See Burnet, i. 425.

§ May 3d, 1671.

he approved, was almost avowedly abandoned; its negociator * had been recalled, and the ministers most favourable to it † were displaced. It may excite surprise that Osborne should connect himself with the government by office just at this period; but we are not to measure sir Thomas Osborne's consistency by the standard used in our days. How far his principles would have carried him in opposition to his official superiors, I know not; but the truth is, that while the doctrine of compliance in a minister was almost, if not altogether, as prevalent in the days of Charles II. as in those of Elizabeth ‡ or James I.; conformity in the house of commons was not exacted of official members.

The treasurer of the navy will soon be found opposing one of the favourite measures of the Cabal, although it was under that notorious administration that he was sworn of the privy council. It has been said §, I know not upon what authority, that courtiers were now sometimes instructed to conceal their real sentiments, and to seek popularity by speaking and voting with the popular party. But Osborne certainly required no such deceitful instructions for his first proceeding in opposition to the government.

We find Osborne prominent among those who, on the first meeting of parliament in 1673 ||, addressed the crown against the dispensing power exercised ¶ in favour of the dissenters. ** In these addresses, the treasurer of the navy was associated with sir Thomas Meres and Mr. Powle; yet there was no identity of sentiment between Osborne and these leaders of the country party. Their desire was to resist popery and arbitrary power; his, to

* Sir William Temple.

† Sir Orlando Bridgman and the duke of Ormond. See Life of Temple, i. 338.

‡ See p. 35. and 126. in this volume.

§ Lingard, xii. 287. He says that this system was introduced by Clarendon.

|| Tenth Session of the Long Parliament, February 4, 1672-3. Parl. Hist. iv. 501. Com. Journ. ix. 245. Lords, xii. 521.

¶ On the 15th of March.

** Journ. ix. 251., Feb. 10. 1673. He was one of the committee to draw up an address on the vote, "That penal statutes, in matters ecclesiastical, cannot be suspended but by act of parliament."

maintain that form of protestantism only, which is in the church of England.

These addresses occasioned a violent dispute between the house and the king, who finally thought fit to cancel his declaration *; thus Osborne, the holder of an office during pleasure, was concerned in compelling the court to abandon a favourite measure.

Upon the famous act †, which passed in this session, for establishing not only the sacramental test, but the declaration against transubstantiation, as a qualification for civil or military office, Osborne concurred equally with the ministers and with the country party. Upon the unsuccessful bill, which immediately followed the test act, for relieving from its operation the non-conforming protestants, Osborne was separated from his new associates, equally as a churchman and as a cavalier.

The bill was confined to such dissenters only as would subscribe the doctrinal articles of the church: there was much debate on fixing the terms of admission; Osborne took the less liberal side. It is not easy to understand the proceedings upon this bill; but the line which Osborne took appears from the notes of a speech which he made, when it was proposed to dispense with the "assent and consent" to the doctrinal articles, and to abandon the renunciation of the covenant: — "He would have as many dissenters brought in as may be. Does think this most unreasonable, and cannot consent to it. It is both to the king and to this house: to the king, because we should seem to encourage the wickedness of those men (the covenanters, I presume); to the house, because of the vote. No man, he thinks, would ever come in, and he would exclude them. It is a great scandal to bring them in by special act of parliament; the nation groans under it, and he thinks they would return into rebellion." ‡

Osborne now became an active speaker on the side of

* March 7. 1673. See Lingard, 262—266. Parl. Hist. 561.
† Lingard, xii. 2[illegible]. Act 25 Chas. II. c. 2.
‡ Parl. Hist. 540.

the government. On a proposal for delaying the money bill* until the test act should have passed, he urged the propriety of reposing confidence in the king, and of placing our fleet on a footing with that of the Dutch, with whom England was now again at war. But the reports of the parliamentary speeches of those days do not assist us in ascertaining whether, at this early period of his career, Osborne gave proofs of that skilfulness in debate and superior understanding which Lord Dartmouth, who knew him later, and in the house of lords, largely ascribes to him.†

The ministers were successful in passing their money bill; and the commons got little further than the assertion of their grievances, in addresses to the crown. These consisted, in England, of a convoy duty illegally imposed, and of abuses in the quartering and pressing of soldiers. The Irish grievances will show what different forms the liberality of a faction assumes.

The prayer of the party now was, that no papist should be admitted into the army of Ireland, or to hold any judicial or municipal office, or even to reside in a corporate town. But I dwell not upon these matters, because, up to this time, Osborne had no concern in the government.

His talents now obtained for him the great appointment of lord high treasurer of England.‡ This post had been held by Clifford, one of the members of the Cabal, who, as a Roman catholic, was under the necessity of resigning it, on the enforcement of the test act. Osborne's appointment has been ascribed by contemporaries§, to the duke of Buckingham, acting in concert with the retiring treasurer, Clifford. Reresby, who was Osborne's country neighbour, tells a story of a bargain, effected by the duke, whereby Clifford was to receive half the salary of the office. What we know of

* Parl. Hist. iv. 567. 571. Journ. ix. 269.
† Note on Burnet, ii. 12.
‡ June 19. 1673. See, in Appendix A, the chancellor's speech on this occasion.
§ Burnet, ii. 12. Reresby, p. 21.

the practice of the times renders this not impossible; but I suspect the story to have been Yorkshire gossip. The compiler of James's memoirs * ascribes the recommendation, in which the duke concurred, to an opinion of his fitness for the conduct of the treasury, as shewn in his management of the pay office of the navy.

When Osborne, who was, in August, 1673, created viscount Latimer†, and in June, 1674, earl of Danby, first obtained the staff, all the members of the Cabal, except Clifford, remained in their posts. By joining the government at this time, Osborne made himself a participator in all the counsels of the Cabal, and became at once an obnoxious minister. He partook of the odium cast upon the other ministers of Charles, for the stoppage of payment at the exchequer, the attack upon the Smyrna fleet, and the second Dutch war. Upon him, not less than upon those who had cemented it, was visited the hateful connection with France; and he became an object of jealousy and hatred with the enemies of popery.

It is almost needless to add, — because the remark is applicable to all times, that the treasurer had to contend also with the reckless factiousness of politicians, ambitious and corrupt: of some, whose principles of foreign or domestic policy gave way to the love of power; of others, who were ready to join any cause for pay: a third class should, perhaps, be added, neither ambitious nor corrupt, but altogether careless.

At the opening of the first session, in which Danby sat as treasurer ‡, lord Shaftesbury addressed the two

* I. 484.

† The Gazette of June 19, 1673, announces the resignation of the staff by lord Clifford, and its being given to sir Thomas Osborne, knight and baronet. On the 23d of June, it is said—"In the last Gazette there was an omission of the title of the right honourable sir Thomas Osborne, who, for his great merits and eminent services, was formerly created lord viscount Dumblaine in Scotland, and, in further confidence of his great abilities, is now made lord high treasurer of England." (Ralph, i. 236.) Douglas says (i. 459.), "He was made viscount Dumblaine on Feb 2. 1673, and surrendered his patent to his son Peregrine, on the 14th of March 1694." The surrender took place sooner, I believe.

‡ Eleventh Session of the Long Parliament, Oct. 27. 1673. Parl. Hist. iv. 586. Com. Journ. ix. 282. Lords', xii. 588.

houses as chancellor. It may be supposed to have been by the advice of the treasurer, that the king, in his own speech, recommended a consideration of "the debt he owed the goldsmiths, in which many other of his good subjects were involved,"— those, namely, who had been injured by the stoppage of the exchequer. But the speech of Shaftesbury, while it enforced the same popular topic, was principally directed against the Dutch, and savoured little of a disposition to conciliate them for the sake of peace.

The commons refused to grant a supply, "unless it should appear that the obstinacy of the Dutch should make it necessary." * In the former session, they had liberally supported the war, and were probably now influenced in withholding assistance, by the duke of York's public avowal of his adherence to the Roman catholic religion. It was thus the fear of popery that refused to fill the treasury, while in the hands of the most zealous protestant among Charles's ministers. The commons introduced new measures against popery, intended "to clear the house of lords (in which the duke still sat), as well as the court, of all papists †;" and they addressed the king to prevent the duke's marriage with the catholic princess of Modena; and they were about to attack the duke of Lauderdale, when the king suddenly prorogued the parliament. ‡

Another of the Cabal now left the council: Shaftesbury, who appeared, during this short session, to have co-operated with the leaders of opposition, especially in the attacks upon the duke of York §, was deprived of the great seal.

Buckingham was still (as well as Arlington) one of the confidential advisers of the crown ||, when parlia-

* Oct. 31. Parl. Hist. iv. 602, 3. † P. 592.

‡ Nov. 4., p. 608.

§ He was also suspected of having carried on an intrigue with the prince of Orange, with the view of putting an end, through the opposition in the house of commons, to the Dutch war, and uniting England with the Dutch against France. See Lingard, xii. 302., and Temple, ii. 292.

|| The foreign committee consisted, in Feb. 1674, of Finch, Danby, Arlington, and Henry Coventry. (Temple, ii. 254.) But this committee was not alone consulted on the conduct of affairs.

ment again met in January 1674.* But something more of Danby's politics now began to appear in the opening speeches. The king's, besides promising to agree to anything which the house might think wanting to secure religion or property, was a little more pacific, and contained a disclaimer of secret stipulations with France, of which the treasurer himself did not know the audacious falsehood.†

The speech too of the new lord keeper, though still full of the unreasonableness of the Dutch, regarded peace as more probable; but was chiefly notable for a boast of "the conviction of all recusants, and bringing them under the penal laws." Yet this did not deter the house of commons from renewing strong resolutions against "counsellors popishly affected ‡" and otherwise obnoxious, or from proceeding specifically against the three remaining members of the Cabal, Lauderdale, Buckingham, and Arlington. Not only the encouragement of popery, but the breach of the triple alliance, the Dutch war, and the intimacy § with France, were among the charges against these ministers. The house addressed the king to remove the two dukes: Arlington, whom Buckingham had accused of being the adviser of the war, but who rejected that imputation, and took credit for the triple alliance, was acquitted.

The examination of Buckingham disclosed the jealousy, and even enmity, which prevailed between these

* Twelfth Session, Jan. 7. 1674. Parl. Hist. 611. Com. Journ. ix. 286. Lords', xii. 594.

† "I know you have heard much of my alliance with France, and I believe it hath been very strangely misrepresented to you, *as if there were certain secret articles of* dangerous consequence; but I will make no difficulty of letting the treaties, and all the articles of them, without any the least reserve, to be seen by a small committee of both houses, who may report to you the true scope of them; and I assure you, there is no other treaty with France, either before or since, not already printed, which shall not be made known."—p. 611.

‡ P. 624.

§ The third charge against Arlington was, that he had traitorously betrayed his trust as secretary of state; and the first overt act was,—"entertaining a more than usual intimacy with the French ambassador, not only lodging him in his house, but letting him into the king's most secret counsels."—p. 651.

two leading members of the Cabal. Danby probably differed from both, but at this time was united, at least in foreign politics, with lord Arlington, although there was certainly no friendship between them.

The commons renewed, but did not pass, their bill for a more effectual test. In the house of which Danby was himself a member, the measures were now first suggested, which afterwards took the name of *expedients*, by way of substitute for the *exclusion* of the popish successors. By these it was proposed, that persons of the royal line should marry protestants only, and all the royal children be educated in the church of England.* No one of these suggestions was carried into effect. I have not the means of ascertaining what part Danby took in the discussion of them. That he was favourable to them in his heart, I cannot doubt; and I think it probable that he supported them with the approbation of the king, who could be reconciled to anything short of the exclusion of his brother.

The commons passed the habeas corpus bill †, but it was dropped by the lords.

The refusal of Louis to comply with Charles's pecuniary demands‡, while the English parliament still withheld supplies, now inclined the king to a peace, to which the States were at the same time influenced by the court of Spain, with which they had recently contracted an alliance. Acceptable terms were proposed by the Dutch, through the Spanish ambassador: these Charles communicated to parliament, and was advised to conclude upon that basis.§ The king set at nought, for the moment, the interests and probably the remonstrances of France, and the peace was signed in February, 1674. The king immediately prorogued the parliament ||, without giving effect to the votes of the

* Lords' Journ. 618. 626. Not a trace of these proceedings is to be found in the Parl. Hist.

† Parl. Hist., iv. 660.

‡ Dalr. i. 177.

§ Parl. Hist., ib.

|| Feb. 24. 1674, p. 666.

commons against his ministers, or receiving from them the requisite supplies.

I cannot undertake to say, that it was by Danby's advice or management that Charles was brought for a time into a more English policy; but the king did certainly display, at this period, the sentiments upon which the cavalier who was his minister, no less than the popular leaders, desired him to act. Danby's old friend, sir William Temple, the negotiator of the triple alliance, — whom Charles permitted to lecture him with patience proportioned to his disregard of the lecture — was now again called forth and sent to Holland, furnished with reasonable and judicious instructions*, and flattering himself that he had left his master in the right mood.†

Now that the test act was in force, peace made with the Dutch, and the connection with France interrupted, there is nothing to object to in the policy of the administration of which lord Danby was a member. It was equally consistent with his own, and the public opinion.

The treasurer now gave relief, in what mode I am unable to say, to the sufferers by the perfidious shutting of the exchequer ‡; the commencement of a financial administration, which, although the subject of much controversy, most historians have lauded, and under which the revenue was augmented, while the expenses were diminished.

In these departmental matters, Danby had probably his own way, but he had by no means that dominant control over the king's affairs which now belongs to a prime minister. Buckingham was dismissed§ in the

* May 30. 1674. Life of Temple, ii. 405. They are countersigned by Henry Coventry. If drawn by him, they do him great credit.

† Ib. i. 424., and Temple's Memoirs, ii 267.

‡ Danby's Memoirs, p. 7. The sum there stated is 1,200,000*l*.

§ Reresby says, that Buckingham's disgrace occurred through the duchess of Portsmouth, and that he in vain made use of the mediation of Danby; and, "to say the truth," adds sir John, "his lordship was not altogether so zealous for his grace as he ought to have been, especially if we consider that it was to him he owed the white staff." (Mem. 24.) Surely, after Buckingham's examination before the house of commons, no one of his colleagues could be very desirous of retaining him.

spring of 1674, but Arlington remained*, by no means indisposed to a renewal of the connection with Louis, very jealous of Danby, whom he envied for his easy acquisition of the treasurer's staff, and not unwilling, as it is believed, to support his rivalry by the aid of the parliamentary opposition. The two discarded ministers, Shaftesbury and Buckingham, had now become flaming patriots.

In this year, 1674, however, they had no opportunity of displaying their patriotism, for parliament was not permitted to sit. On its meeting, in November, it was at once further prorogued to April 1675.†

How far Danby was concerned in the first prorogation there are no means of learning; the second was the result of a renewed bargain with Louis, of which he had no knowledge. At the moment of the signature of the treaty of peace, Charles had apologised for it to Ruvigni; and Louis, apprehensive that the king of England might be forced by the parliament to go a step further, and join in the war against France, now bribed him to put off its meeting.‡

The year 1674 was occupied in discussions tending to a general peace. Danby kept up a correspondence with sir William Temple, with whose views of foreign policy he coincided. The leaning of Danby's mind in reference to such matters may be inferred from his desire to bring Temple into the office of secretary of state.§

It appears to me certain that, although his son, lord Latimer, was attached to the mission, the treasurer was not fully informed of the objects with which lords Arlington and Ossory were sent over to the prince at the end of this year. The instructions were verbal only, and Danby was not acquainted with the intention, carried

* He resigned the office of secretary of state to sir Joseph Williamson, and became lord chamberlain, Sept. 14. 1674. — Ralph, i. 263.
† P. 666.
‡ Lingard, xii. 299. Dalr. ii. 98, 9.
§ Life of Temple, i. 423.; ii. 2[illegible]

into effect by Ossory, of hinting to the prince the probability of giving to him the princess Mary in marriage.* This ignorance is indicative, not so much of Danby's want of success in his struggle with Arlington for the ascendancy, as of the irregularity and want of unity which prevailed, not at this moment only, but generally in this age, within the English cabinet. It has been conjectured, that the project of the match was devised by Arlington, in order to get beyond his rival Danby, in the favour both of prince and king.†

But Arlington failed entirely in conciliating the prince, whose inclinations were decidedly towards Danby.‡

Danby likewise flourished more and more in the favour of Charles §; and in proportion to this favour, was the jealousy of Arlington. The king sent for Temple from the Hague, (under a false pretence of business||,) in the hope that his friendship with both the rivals might effect a reconciliation. Danby, satisfied with his situation, was disposed to conciliate, but Arlington, so far from being reconciled to Danby, grew cool towards Temple himself. The treasurer however and the chamberlain each retained his situation; and the king, as we shall see, continued to make use of both, without giving to either an exclusive or entire confidence.

It is said that Danby was favourable, about this time, to a scheme of religious comprehension. "During this twelfth session," says Richard Baxter¶, "The earl of Orrery** desired me to draw him up in brief the terms and means which I thought would satisfy the non-con-

* That Danby was ignorant of at least this part of the object of the mission, is not only to be inferred from Temple's Letters and Memoirs, (ii. 293.), but is clearly proved by Danby's own statement, that the first motion in the affair of the match was made in a letter from Temple in April 1676. -- Letters, p. 285.

† See Ralph, i. 264., and Lord Ossory's Letters, there quoted.

‡ See his letters in the Danby Collection, p. 124.

§ Temple, ii. 293.

|| See Life of Temple, i. 451.

¶ Sylvester's Reliquiæ Baxterianæ, 1696, part iii. p. 109.

** Roger Boyle, lord Broghill and earl of Orrery, himself a most distinguished man, and father of Robert Boyle. His biographer says of him,

formists so far as to unite us all against popery; professing that he met with many great men that were much for it, and particularly the new lord-treasurer, sir Thomas Osborne, and Dr. Morley, bishop of Winchester, who vehemently professed his desire of it."

I cannot enter into the detail of the proposals and answers to which this communication led; though I wish most earnestly that our church could have been brought to reject all articles not essential to Christianity, and to establish herself upon a wider basis than any church that has hitherto existed.

Among the demands made on the part of the non-conformists, some were such as no established church could reasonably be expected to admit. For the principle of the scheme was, to leave the liturgy, sacraments, and other ordinances, generally established and in force, but to allow of a great latitude in omission, alteration, or non-conformity; and this not only in private houses, but in the parish churches.

On the other hand, the terms offered by Baxter, as well in respect of religious doctrine as of political allegiance, were in some particulars extremely liberal: he proposed that all ecclesiastical ministers, and schoolmasters, should "subscribe the doctrine and sacraments of the church of England, as expressed in the thirty-nine articles, according to the 13th of queen Elizabeth, and the common subscription approving the doctrine of the homilies;" and moreover a declaration against rebellion and sedition.*

—"He was constantly visited by men of parts and learning, and the most eminent bishops of the church of England. As he always strictly adhered to the established church, he was a great favourite with these, though he often took the liberty to tell them, that he thought them a little too stiff in some points,—that he wished for nothing more than to see a union between the church and the dissenters; and conceived it highly barbarous to persecute men for any opinions which were not utterly inconsistent with the good of the state."—Budgell's Lives of the Boyles, p. 114.

* "I, A. B. do hold, that it is not lawful for his majesty's subjects, upon any pretence whatsoever, to take arms against the king, his person or authority, or against any authorised by his legal commission; and that there lieth no obligation on me, or any other of his subjects, from the oath commonly called "the solemn league and covenant," to endeavour any

Notwithstanding these concessions and offers, the negotiation, which was conducted on the part of the church by bishop Morley, produced no good result. That bishop, with Ward, bishop of Salisbury, was among the leading prelates, who soon afterwards met Danby and other ministers* at Lambeth in consultation upon the affairs of the church. The consequence of their consultation was, an order in council, forbidding attendance at mass, and subjecting the Roman catholics to other disabilities and penalties; and requiring the rigorous enforcement of the laws for suppressing conventicles.†

If these ordinances were intended by Danby, (as has been suggested‡) to court the popular party, it must be allowed that he did no violence to his own opinions. Indeed, the circumstance of including the protestant dissenters in these intolerant proceedings, serves to show that they originated in a zealous attachment to the church of England, either in the minister, or in those whom he desired to conciliate. For although, in 1669, a proclamation against conventicles procured for Charles the thanks of the house of commons§, I apprehend that the enemies whom Danby had now to dread in parliament, reserved all their virulence for popery, and were not inimical to the non-conformists.

If the measures which Danby pursued were consistent

change in the present government of these his majesty's kingdoms; nor to endeavour any reformation of church or state by rebellion, sedition, or other unlawful means."

* Lauderdale, the lord keeper Finch, and the two secretaries, Coventry and Williamson. — Sylvester, p. 153.

† Feb. 8. and 12. 1674-5.; Kennet, iii. 331.; and Lingard, xii. 309. See Burnet: — "The building of St. Paul's in London was now set on foot with great zeal. Morley and some of the bishops were sent for, and the new ministry settled a scheme with them, by which it was offered to crush all the designs of popery. The ministers expressed a great zeal in this, and openly accused all the former ministers for neglecting it so long. — But, to excuse this to the duke, they told him, it was a great misfortune that the church party and the dissenters were now run into one; that the church party must have some content given them; and then a test was to be set on foot, that should for ever shut out all dissenters, who were an implacable set of people" (ii. 53.) It is said in the "Memoirs of James," (i. 499.), that Danby and Lauderdale, by the king's order, endeavoured to obtain the duke's consent, who, on the other hand, urged the king to withhold his sanction.

‡ Lingard, xii. 309. § Journ. ix. 101.

with his opinions, there is no necessity for questioning his motives; nor would they be worthy of condemnation, although intended "to pacify the parliament."* But the historians of this time mention an incident, which shows that the gratification of the cavaliers and the church party was Danby's object, rather than the conciliation of the discontented commons. He set up at this time at Charing Cross, the fine equestrian statue of Charles I., which had been neglected or concealed.† The effigy of "the royal martyr" might encourage the hope that the services and principles of those who fought in his cause were not forgotten; but it could not be very gratifying to those who contemplated a repetition of the measures of 1641.

Contemporary writers, indeed‡, and others who have followed them §, have mentioned, and generally in a tone of censure or of sneer, the endeavour of Danby to conciliate and bring forward the old cavaliers, "who had been forgotten since the Restoration."|| Surely, this

* James's Memoirs, i. 499. Coleman says, that "Ministers would have sacrificed France, religion, and the duke of York too, to their own interests if occasion served." This remark is quite inapplicable to Danby, who had no favour either to France or to the religion of which Coleman speaks. He gives a not very intelligible account of an intrigue among members of parliament for keeping them quiet during this session; but he says nothing that affects what I have written, either as to Danby or his conscientious opponents. — Parl. Hist. iv. lxxxvii.

† Burnet, ii. 53.

‡ Marvel, Growth of Popery, i. 509. "They began therefore, after fifteen years, to remember that there were such a sort of men in England as the old cavalier party; and reckoned, that by how much the more generous, they were more credulous than others, and so more fit to be again abused. These were told that all was at stake, church and state; (how truly said! but meant how falsely!); that the nation was running again into forty-one; that this was the time to refresh their ancient merit, and receive the recompence double of all their loyalty, and that henceforward the cavaliers should have the lottery of all the great or small offices in the kingdom, and not so much as sir Joseph Williamson to have a share in it." (p. 508.) This notion of an exclusive patronage of the old party, is not quite consistent with lord Guilford's averment, that it was Danby's practice to use pensions and promises in the purchase of enemies. — See p. 225. *post*.

§ Ralph, i. 271. Carrel, Contre-Révolution d'Angleterre, p. 167.

|| See Burnet's character of Charles, ii. 479, whose ingratitude to those who had formerly served him, is thus satirised by Rochester: —

> His father's foes he does reward,
>   Preserving those that cut off 's head:
> Old cavaliers, the crown's best guard,
>   He lets them starve for want of bread.
> Never was any king endued
> With so much grace and gratitude.

is no matter of reproach. Even those who, whether from acuteness or evil-thinking, withheld from Danby the praise of high principle in his attachment to church and king, admit that he was of the cavalier *party:* is he to be blamed for calling staunch cavaliers about him? —and if he gratified those, or the sons of those, who had fought in the cause of Charles I., by setting up his statue, or even by honouring that unfortunate king, whose interment had been little ceremonious, with a magnificent funeral,—was there any thing but an harmless homage, to prepossessions in which he himself participated?

On opening the parliament, which met on the 13th of April, 1675*, after an interval of fourteen months, the king boasted in his speech of what he had done "to extinguish the fears and jealousies of popery," and promised that he would leave nothing undone, that might show the world his zeal for the protestant religion as established in the church of England, from which he would never depart." And the lord keeper Finch enforced the necessity of a national church, established and protected by law; observing, however, that the protestant dissenters were not so rigourously treated as catholics in the late proclamation.† If this speech be compared with those which were delivered from the throne during the Cabal administration, or spoken by Shaftesbury as chancellor, the increased in-

* Thirteenth Session. Parl. Hist. iv. 671. Com. Journ. ix. 314. Lords', xii. 652.

† "His majesty hath considered religion again more particularly, as it is the protestant religion established by law in the church of England: he sees that as such, it is not only best suited to the monarchy, and most likely to defend it, but most able to defend itself against the enemies of all reformation; and therefore upon this account it is, that his majesty, with equal and impartial justice, hath revived all the laws against dissenters and non-conformists, but not with equal severity; for the laws against the papists are edged, and the execution of them quickened, by new rewards proposed to the informers; those against dissenters are left to that strength which they have already. But these, and all other laws whatsoever, are always understood to be subject to the pleasure of a parliament, which may alter, amend, or explain them, as they see cause, and according to public convenience."

fluence of the church of England, under Danby's administration, will be apparent. These speeches, it is true, often mentioned the king's attachment to the church of England; but they forthwith announced some measure apparently hostile to it.

But now that there was an administration afraid of popery, the party in opposition lost much of the interest they had in crying it down. Cold thanks were returned for the speech, and it became evident that "the ministers" (as Coleman expresses it) "having *turned their faces*, the parliament would do so too, and still be against them; and be as little for persecution now, as they were for popery before."*

It is not correctly said that ministers had "turned their faces." That of Danby had always been set against popery. New ministers had acquired power, and new interests had obtained favour.

Bills for enforcing the laws against papists, and for educating the royal children as protestants, were brought into the two houses, but were feebly supported, and made no progress.†

Although the opposition leaders had no ground for imputing either inconsistency or insincerity to the minister, he could not reasonably complain that they distrusted him. They could not place confidence in Charles, and in those days the wishes and character of the king were more important than those of the minister. Whatever might be the sentiments of Danby, he had shown himself a subservient follower of the court; and had made himself fairly responsible for doings which he disapproved.

It was natural that Danby should be opposed by Russell, by Cavendish, and all whom, anticipating a little, I will denominate whigs. But personal jealousy and political hostility now united against him the most

* Coleman's Letter. Parl. Hist. iv. lxxxvii.
† Lords' Journ. xii. 661. Commons', ix. 317. 320. Lingard, xii. 312.

heterogeneous opinions and characters. He had new enemies, from the centre of the Cabal itself. Not only Shaftesbury, who had, even when in office, shown symptoms of disaffection to the court, but Buckingham, quite reckless of consistency, joined in the opposition to a government, of which the main fault was, that it too nearly resembled his own.

The combined leaders were neither fair nor judicious in their mode of attack. Taking little notice of his more acceptable doings, and allowing no time to see what measures the minister might propose in parliament, they proceeded at once against the treasurer. Within the first fortnight of the session (in which they had addressed for the recall of the English troops from France, and for the dismissal of the duke of Lauderdale,) they embodied their charges against the minister in articles of impeachment. Lord Russell was the ostensible originator of this accusation. He appears to have been put forward on this occasion, as a young man of rank and character, without having made himself master of his subject. "All we give (to the king) is too little when the treasury is managed to set up private men and their heirs. The earl of Danby has acted in it in a high and arbitrary manner, and disposed of the treasure as he pleased; and has publicly declared at the treasury, that a new proclamation is better than an old law."*

Upon these unsupported accusations, this young nobleman moved, that lord Danby should be removed from his employments, and an impeachment drawn against him. The details of the accusation were conducted by others. Sir Samuel Barnardiston † presented the articles (seven in number), and Mr. Powle was the principal speaker in support of them.

Lord Danby was charged ‡ with perverting the ancient practice of the exchequer, by causing a portion of the

* Parl. Hist. iv. 68 † P. 693.
‡ Article i.

revenue to be paid and accounted for, without passing through that court of multiplied checks; by which means he obtained the disposal of large sums, without the cognizance of the chancellor of the exchequer, and without record. This he effected, chiefly, by a royal patent obtained by himself, directing the excise moneys to be paid to a particular cashier, and then to be paid, either into the exchequer or otherwise, as the lord treasurer might direct. The inference was, that a part of the treasure was misapplied to personal and corrupt purposes.*

Another money charge † imputed to Danby the receipt of large sums from unnamed sources, besides the exchequer revenue, "which had been wastefully spent;" and the issue of unprecedently large sums for secret service, while the king's debts remained unpaid, the stores unfurnished, and the navy unrepaired. He was also charged ‡ with "stopping the legal payments due in the exchequer;" and "procuring great gifts and grants from the crown, while under great debts, by warrants signed by himself." §

Some of Lord Danby's colleagues expressed, on his part, a readiness for inquiry. But he was defended against the pecuniary charges by Mr. Garraway, one of the leaders of the popular party. This is, I presume, one of the circumstances from which the "high bribing" of Danby is inferred. But, apparently, not only was no evidence brought, but no facts were alleged, in support of the charges. Powles was the only member who stoutly maintained the accusation, and his facts were confined to the excise patent, already mentioned. Of this matter a satisfactory explanation was subse-

* In investigating this charge, it was proposed to vote that "the patent is illegal, and contrary to the course and constitution of the exchequer;" and — a curious incident in parliamentary practice — the question was so amended by the treasurer's friends as to leave it simply, "the patent is." This occurrence has been fastened upon as a trick and subterfuge. (Examination of the earl of Danby's case. Danby's Memoirs, p. 72.) It was, probably, by a mere omission, that after the sense of the house had been taken, the journals were not formally discharged of the main question.

† Article iii. ‡ Article iv.

§ Article vi.

quently given*; and Garraway very fairly urged the amount of the exchequer receipts, as a proof that no material part of the revenue was irregularly anticipated.

A Mr. King asserted "that Danby had done good service in the treasury in paying of the navy and army;" and historians have generally admitted Danby's merit in this respect. Sir Charles Harbord made a somewhat remarkable speech: — "He had had the honour to serve the king under seven or eight lord treasurers; by the duty of his place he is to advise with all things relating to the revenue; he has endeavoured all the time *to save the treasury, but sees he cannot do it.* So far as he has been acquainted with the lord treasurer, he has not found his understanding defective in it, and has wondered at it, that a young man† and a country gentleman should understand it so soon. In this business he would go as faithfully and as truly as any man; as he had charity for the gentleman that brought in these articles, so he knew many of these things to be otherwise. Would have you view the state of the revenue first, and, if proper, then would enter into the merits of the cause: he can disprove many of these things alleged." I know not what office this gentleman held in the department. The reference to his unsuccessful endeavours to save the treasury, however unintelligible now, is supported, but not explained, by a speech of colonel Birch. — "that the treasury is gone is certain, but as to the treasurer's being in fault, he hopes he will come out purified like gold."

Another ground of attack may be attributed to the gradual change which was now taking place, though not

* Kent, who had a charge, as a creditor, upon the excise, was also receiver of the customs. The receivers of the excise, James and another, were also paymasters of the army, and were to be supplied out of the customs; but properly, as I presume, not until the receipts had been paid into the exchequer. Kent had therefore to pay money destined for James, and also to receive money from him. It was arranged that a transfer should take place without the intervention of the exchequer; with the view, I apprehend, of securing to Kent what was due to him from the excise. See Danby's Memoirs, p. 198.

† According to my computation, Danby was forty-three at the time of his appointment.

yet accomplished, in the conduct of our political concerns, by the disuse of the privy council as a deliberative and executive board, and the establishment of a committee, or cabinet, of which, at a later period, one person was placed at the head as prime minister. The lord treasurer was charged* with "assuming to himself the management of Irish affairs, which were, in preceding times, dispatched always by the secretaries, and passed in council. To this assumption the accusers added the pecuniary motive of converting a very great sum of money out of the Irish revenue to his own private advantage." I find nothing said in support of this charge, or in answer to it.

A supposed *obiter dictum* in a cause at the treasury, that a "new proclamation was better than an old law," was the foundation of another charge †, upon which we are equally without information. Upon each of these charges the house resolved, that there was no ground for impeachment.

The treasurer's financial administration will come under discussion hereafter. I may now say, upon every principle of justice and criticism, that, at this period, no official malversation was proved against the earl of Danby.

Upon the remaining very curious article we have more light, though it is still somewhat obscure. — Peregrine, the second son of Danby (who surrendered to him the dignity of viscount Dumblaine, in Scotland), sought in marriage Frances, daughter and heiress of sir Thomas Hyde. The lady, who appears to have been under the guardianship of her stepfather, Vyner, the lord mayor, had been married, or partly married, at a very early age, to one Emerton, her mother's nephew, but, apparently, a low man. As to this alleged marriage a suit at law was depending, and the article charged Danby with having caused a principal witness in the cause to be arrested, brought before the king himself to be

* Article v. † Article vii.

examined in the presence of Danby, and induced by threats and promises to give false evidence, with a view to setting asid the marriage. In support of this charge, it was proposed to ask several questions of the lord mayor, in which a fresh accusation appears, namely, that the treasurer endeavoured to purchase Vyner's co-operation, by a promise that a crown debt to him should be paid, and a place given to his son. It also suggested that Danby had advised and assisted Vyner in defending the suit. But the house, justly attaching the greatest importance to the charge of impeding public justice, refused to ask of Vyner any question but one; that one related to some tampering with the clergyman who married Emerton, and to the arrest and examination of Vyner's servant, the witness to whom the charge referred.

The journals record nothing beyond the fact, that the question was asked and answered; whereupon it was resolved that there was no matter of impeachment in this article.

It appears from Evelyn's Diary, quoted hereafter, that the suit was carried into the court of delegates: there were also proceedings in the King's Bench between Emerton and Vyner. The proceedings certainly gave much scandal to contemporaries.

As the impeachment did not go up to the lords, Danby was not called upon for an answer; but he declared upon his honour, in a letter written some years afterwards to lord Clarendon (to whom Mrs. Hyde was related), that neither he nor lady Danby knew any thing whatever of the affair, until he heard from the court of delegates that his son and Mrs. Hyde had acknowledged their marriage.*

It has been confidently asserted, that Danby did not rely altogether upon his innocence, or upon the justice

* Lord Danby to lord Hyde, July 15, 1682. Clar. Corr. i. 74.

of the house of commons, but secured his acquittal by "high bribing." *

Bishop Burnet† ascribes it to Danby as a novelty, that, instead of attempting the virtue of the more eminent speakers, he purchased the suffrages of the less important but more numerous herd of silent members. This assertion, which has been adopted by the generality of historians, is scarcely consistent with the supposed purchase of Garraway. I can throw no new light upon the subject. Certainly, nothing in the character of the age, or of the man, authorises me to dispute the probability of the statements of Burnet and Marvel, to which lord Guilford's ‡ may be added; but all persons must agree

* Mar. i. 427. It appears, from a piece of poetry called "The Chequer Inn,—a Supper given by the Treasurer to the Parliament Men, 1675," that Danby gave an entertainment upon his acquittal, which was attended by a host of his supporters. The poem (so called by courtesy), which is ascribed to Andrew Marvel, has not sufficient merit for insertion, and is moreover not distinguished in point of delicacy from other works of the age. I shall extract only the portrait of Danby himself: —

"The host, that lives in that same house,
Is now a man, but was a mouse,
Till he w[illegible] [illegible] chosen;
And for his [illegible] first began,
But quickly t[illegible] cat-in-pan,
(The [illegible] they [illegible] have rosen);
And e[illegible] since he did so wex,
That now he money tells by pecks,
And hoards up all our treasure.
Thou'lt ken him out, by a white wand
He dandles always in his hand,
With which he strikes the measure.
* * * * * *
He is as stiff as any stake,
And leaner, Dick, than any rake,
Envy is not so pale;
And though, by selling of us all,
He wrought himself into Whitehall,
Looks like a bird of gaol." [1]

† II. 71.

‡ "I observed this good humour began to decay by taking off enemies by preferring them; and those friends that were low in the world, or had mercenary natures, had money given them; so that ambitious men expected to be sought too and caressed, because they were able to trouble the king's affairs; and the honest, plain, (but not discerning) country gentleman believed every vote that was given for the court was the effect of a pension, and would not join, lest he should be thought to do it because he had some hopes of a reward."— Dalrymple, 8vo. i. 133.

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[1] The members of parliament whose presence is celebrated, are these; Wheler, George Montague, ("the foreman of the British crew,") Mansell, and Morgan from Wales; the western glory, Harry Ford, sir Courtenay Pole, Nedenham, Birkenham, Chesney, Throckmorton, Neville, Delman, Lawley, Portman, Cholmeley of Vale Royal, Hanmer, Herbert, Sands, and Musgrave.

with Ralph* that, nothing is easier to be said, nothing is harder to be proved."† Defeated in their attempt to ruin lord Danby by personal accusation, the leaders of opposition now reverted to the more ordinary course of impugning the measures of his government. He had established, and sincerely desired to maintain, the neutrality of England between France and Holland. But a body of English troops still remained in the service of the king of France, and it was the joint object of the Dutch and Spanish ministers, and of the English opposition, to procure the return of these troops. The house of commons ‡ addressed the king to recall them and to prevent any more from going. Charles promised the latter, but refused the former of these requests as inconsistent with his honour.§ This answer produced much heat and disorder, and after the word *all* had been omitted by a bare majority, it was resolved, by the speaker's || casting voice, to renew the address, but no further proceedings are recorded.¶ The debates afforded a notable instance of the uncertainty of facts, in their nature easily capable of proof, and important in their bearing. The amount of the auxiliaries was stated, by one party, at 8000, by the other at 2000; a difference so material as fairly to justify a difference of opinion upon the main question; for unless there was any stipulation with the States-general to the contrary, the smaller number might reasonably have been left to waste itself by casualties. It was

* ¶ 93.

† The biographer of Marvel relates a story of an attempt to bribe him, by the lord treasurer in person, who visited him at his lodgings, offered him a place, and afterwards, 1000*l* These Marvel refused, although, according to one edition of the story, he had on the same day to borrow a guinea of a friend; and, according to an improved version, convinced the minister of his independence, by exhibiting to him the frugality of his table. This version is quoted by Mr. Cooke, in his History of Party, i. 35. from a certain "Mr. Dove." (See Ralph, i. 314.) No trace of the story is to be found in Marvel's letters or tracts.

‡ April 19. and May 5. 1675. Parl. Hist. 678. 698.

§ P. 700.

|| Sir Edward Seymour, whom Burnet accuses of great partiality to the government side, and to whom it had been objected, that he was a privy counsellor. His vote may raise a question, whether he was courting the country party, wished to show that he was not partial, or whether he knew that the anti-French address was agreeable to Danby, with whom he was then, I believe, on good terms

¶ Page 700. Lingard, xii. 315. The Parl. Hist. is incomplete, as it too often is. See Journ. ix. 335. 343. 354.

asserted on the part of government that an equal number of Englishmen were serving with the prince of Orange, and that the compromise suggested in the king's answer was conformable to the understanding had with the Dutch on signing the treaty of 1674. The point is of importance to our inquiry, because any favour shown to France in respect of these men would detract from the earl of Danby's character as an opponent of the French interest. But there is unquestionable evidence in favour of the statement which was made by his friends in the house of commons. Sir William Temple, who negotiated the treaty with the marquis de Fresno, Spanish ambassador, empowered by the Dutch, declares that the question of recall, which was one of those in which he had the greatest difficulty, "was composed by private engagements to suffer those that were in the French service to wear out without any recruits, and to permit no new ones to go over; but at the same time to give leave for such levies as the states should think fit to make in his majesty's dominions, both of English and Scotch regiments."* Charles had not during his reign any other minister than Danby who would have sanctioned a stipulation so unequally injurious to France.

The passing of the first address, and the closeness of all the subsequent divisions, afford sufficient proof, either that Danby was not very zealous in opposing these anti-gallican votes, or that the influence which he is supposed to have maintained by corruption was not very effective. But it has been confidently said, that foreign gold, which had already mixed itself with the royal treasure, now found its way into the pockets of individual members; and that while France bribed on the one side, the efforts of the opposition were encouraged by money supplied by the ministers of Spain and Holland.†

* Temple's Memoirs, ii. 255.

† "The Dutch and Spaniards spared no pains nor expense of money, to animate as many as they could against France; our lord treasurer (Danby), lord keeper (Finch), all the bishops, and such as call themselves old cavaliers, who were all then as one man, were not less zealous against popery." — Coleman's Letters; and Parl. Hist. iv. lxxxvii.

Danby now introduced into the house of lords, by the hands of the earl of Lindsey*, the most remarkable measure of his domestic administration, — the bill for enforcing a non-resisting test.† All persons in council, office, parliament, or the magistracy, were to make this declaration on oath: — "I do declare, that it is not lawful upon any pretence whatsoever to take up arms against the king, and that I do abhor that traitorous position of taking up arms by his authority against his person, or against those that are commissioned by him, in pursuance of such commission. And I do swear that I will not at any time endeavour the alteration of the government, either in church or state." We have no particular account of the debates, extending over sixteen days, which this proposition occasioned: there is a long and spirited narration of what passed by John Locke; but, in this, the party feeling is too strong to admit of justice being done to the reasons and arguments of the court party.

The test was probably intended to operate in favour of the cavaliers, and to exclude altogether the remains of the republican party: "It was necessary," (said, as Burnet tells us,) "the proposers of the test, to discriminate the good subjects from the bad. We had been lately involved in a long civil war, occasioned by the ill principles that some had taken up, with relation to government. It was fit to prevent the return of such miseries. The king had granted a very full indemnity, and had observed it religiously, but there was no reason, while so much of the old leaven still remained, to leave the nation exposed to men of such principles." Roger North, a very high prerogative writer, says that the declaration against resistance was "opposed to the old republican principle, which the faction began to set up afresh, — that all power is from the people."‡

* Robert, third earl of Lindsey, was brother to Danby's wife.
† Parl. Hist. iv. 714. Ralph, i. 277. Burnet, ii. 73. Lingard, 316.
‡ Examen, p. 62. See on the other side, Marvel, i. 510.

Not having even the fragment of a speech from Danby on the subject of this measure, I can form no positive opinion as to its origin and motive. My conjecture is, that there was a mixed motive of principle and policy, for obtaining a parliamentary recognition of the justice of the cause of Charles I., or rather a condemnation of "the great rebellion;" and thus identifying the cause of the court and minister with that of the cavaliers.

But writers treat this test as if Danby were the author of it.* Now, the declaration against taking up arms against the king, or persons commissioned by him, had been framed soon after the Restoration, and was already required of all persons serving in the militia†, from the lieutenant of a county to the private soldier; of all persons in holy orders‡, and of all non-conforming ministers.§ The promise not to attempt alterations in church or state was not exacted from the militia, but it was in the clergyman's oath; and also in that of nonconformists, with a special disavowal, in this latter case, of the solemn league and covenant.

By Danby's bill, this test, in both its parts, was to be taken by all privy counsellors, magistrates, and members of parliament; certainly a great extension, but one which was recognised in principles by the previous acts; for, if resistance were to be abjured by the whole standing military force of the country, and all teachers of religion, it surely could not be deemed lawful in those who held civil offices. Was a statesman and a legislator to hold resistance lawful, at the same time that he required an abjuration of it from those who could make it most effectual, and from those who could most widely inculcate it?

I do not affirm that the proposers of the present bill used these arguments: I only wish to shew that the

* Burnet says, "the test that lord Danby had contrived, as was formerly mentioned." I do not know to what earlier passage he alludes.

† 13 & 14 Chas. II. c. 3. sect. 17, 18.

‡ Ib. c. 4. sect. 9, 12.

§ 16 Chas. II. c. 3. sect. 2.; and see Baxter's Proposals, p. 215. ante.

measure was not a novel and unheard-of attempt at the establishment of the doctrine of passive obedience.

The declaration against changes in church and state was required of ecclesiastical, but not of military persons; probably, because the latter had no means of effecting them, except by arms, which they disclaimed. We shall see presently that this, the more objectionable part of the oath, was neutralized.

The bill was opposed upon obvious reasons: the general inexpediency of tests, especially as exacted of the members of a legislature; the possibility of a case, in which resistance, even in the name of a king, might be justifiable and necessary; the imprudence and injustice of binding down a parliament against alterations, while every new law is in effect an alteration. Of the declaration against resistance, a French writer says, with great reason, that it is "one of those propositions,' entirely metaphysical, the mere examination of which is in itself an evil." *

Shaftesbury and his friends judiciously and adroitly avoided these troublesome topics, and founded their opposition rather upon general objections and particular and speculative difficulties, which might, under various contingencies, be occasioned by the exaction of the test.†

The duke of York, Burnet tells us, was against the bill; but Danby made no attempt to conciliate the duke, or the romanists, by any concession injurious to the established religion; on the contrary, no sooner was it suggested during the discussion‡, that no papist would object to an oath, obliging him only to maintain the church government, without any mention of religious doctrine, than the promoters of the bill made an addition to their test, binding the taker against "endeavouring any alteration of the protestant religion as now established by law in the church of England." § And

* Histoire de la Révolution de 1688 en Angleterre, par F. A. J. Mazure, p. 141.

† One clause was altered thus in consequence of these criticisms:—" Commissioned by him *according to law, in time of rebellion or war*, and acting in pursuance of such commission." — Lingard, p. 323. Parl. Hist. liv.

‡ Parl. Hist. iv. p. lv.

§ Lingard, xii. 323.

it is surely more reasonable to attribute to this insertion, than to any cajoleries of Shaftesbury, the conduct of the catholic peers; who, though said to have been at first unwilling to oppose the king, or reject a monarchical test, finally joined, one and all, in the opposition which was made to it by the country party.

With equal readiness, the treasurer, upon its being objected that the exclusion of peers for the refusal of a test, or from any cause, from the house in which they had hereditary seats, was an infraction of their birthright, consented to expunge that penalty.

Another important modification of the test was adopted by the peers at an early period of the proceeding, in order to secure freedom of debate and vote in parliament; and this proviso was, by the special influence of Danby * made part of the declaration.

Locke's letter † describes some interesting discussions upon that part of the oath which affected the church; and Shaftesbury made very clever speeches, shewing the necessary vagueness of all descriptions of the protestant religion; but these only produced a more stringent obligation to support the church of England *as established by law.* ‡

It was proposed to limit the obligation to abstain

* So says Locke, (Parl. Hist. lxi.). The lords had resolved, on May 3. "That there shall be nothing in this bill which shall extend to deprive either of the houses of parliament, or any of their members, of their just ancient freedom and privilege of debating any matter or business which shall be propounded or debated in both or either of the said houses, or at any conferences or committees of both or either of the said houses of parliament, or touching the repeal or alteration of any old, or preparing any new law, or the redressing of any public grievance; but that the said members of either of the said houses, and the assistants of the house of peers, and every of them, shall have the same freedom of speech, and all other privileges whatsoever, as they had before the making of this act." And these words were afterwards added to the test:—"And I do take this oath according to the true meaning of this act, and the proviso contained in the same."

† Page lvi.; and Lingard, xii. 321.

‡ According to Lingard, the oath was finally settled thus:—"I, *A. B.* do declare that it is not lawful, on any pretence whatsoever, to take up arms against the king; and I do abhor the traitorous position of taking arms by his authority against his person, or against those that are commissioned by him *according to law, in time of rebellion and war, and acting in pursuance of such* commission. I do swear that I will not endeavour any alteration of the *protestant religion, now established by law in the church of England,* nor will I endeavour any alteration in the government, in church or state, *as it is by law established.*"—p. 323.

from alterations in religion by the insertion of the words, "*by force or fraud.*" Against this Danby spoke; but the great philosopher who records the debate, has not acquainted us with the reasons which he assigned. The proposed addition would have neutralised the oath, since no special security is required against force or fraud; yet without some such words the oath was assuredly liable to the objection made to it, as shutting out all improvement.*

The test bill never went beyond the house of lords: a question of privilege arose between the two houses, which occasioned a prorogation. This question, if not raised, was no doubt contested more obstinately by the commons, with a view to defeat the bill.† Shaftesbury, according to Burnet‡, boasted of having raised it, and though others assured the bishop that "it happened in course," Andrew Marvel teaches us that the commons, though clearly in the wrong, kept up the controversy with factious views:—"The lords," he says, "*according to their undoubted right,* being the supreme court of judicature in the nation, had, upon a petition of Dr. Shirley, taken cognizance of a cause between him and sir John Fagg, a member of the house of commons, and of other appeals from the court of Chancery, whether in good earnest, which I can hardly believe, or rather some crafty parliament men among them, having an eye upon the test, and to prevent the hazard of its coming among them, presently took hold of it, and blew the coals to such a degree that there was no quenching them."

I know not what part Danby took in the proceedings

* "This bill, as we humbly conceive, does strike at the very root of government, it being necessary to all government to have freedom of votes and debates in those who have power to alter and make laws: and besides the express words of this bill, obliging every man to abjure all endeavours to alter the government in the church, without regard to anything that rules of prudence in government, or Christian compassion to protestant dissenters, or the necessity of affairs, at any time, shall or may require, upon these considerations, we, humbly conceiving it to be of dangerous consequence to have a bill of this nature, so much as committed, do enter our dissent from that vote, and protestation against it."—Protest of *Shaftesbury, Buckingham, Clarendon,* and others, April, 1675. Lords' Journ. xii. 668.

† Parl. Hist. iv. 737. ‡ II. 75.

of the house of lords upon this occasion; he is entitled to a share in the commendations which have been bestowed upon the king.* Charles called the two houses before him, ascribed their differences to the designs of men who desired a dissolution of the parliament, and recommended to them a free discussion. To an address from the lords for the removal of the lieutenant of the Tower, who, receiving contradictory mandates from the two houses, had obeyed the commons, by declining to produce at the bar of the house of lords the prisoners committed by the other house, the king answered, through lord Danby, that "he had considered the circumstances of the matter, and was not satisfied how with justice he could remove him."† Shortly afterwards, no hope existing of an amicable adjustment, the king finished the session in a short and judicious speech.

In that session nothing was done in the way of supply. The king having recommended a consideration of the state of the navy, a bill was brought in for appropriating the customs to that use, but it did not proceed.‡

The king opened the next session of parliament § after an interval of three months, with an exhortation to the two houses, at least to postpone their quarrels until some public business should have been done. He particularly recommended to them whatever might "tend to the security of the protestant religion as it is now established in the church of England." In asking for supplies, to take off anticipations upon the revenue, and for building ships, he said, "though the war has been a great cause of these anticipations, yet I find by a late account I have taken of my expenses, that I have not been altogether so good a husband as I might have been, and as I resolve to be for the future, although at the same time, I have had the satisfaction to find that I

* Lingard, xii. 326. † June 9. 1675. Parl. Hist. iv. 738.
‡ Journ. ix. 315. 323. 330.
§ Fourteenth Session, Oct. 13. 1675. Parl. Hist. iv. 740. Lingard, 327.

have been far from such an extravagancy in my own expense, as some would have the world believe. It is now above three years since I have asked you for anything for my own use." — Neither this plausible speech, nor an eloquent harangue from the lord keeper which followed it, succeeded, either in obtaining adequate supplies from the commons, or in deterring them from the revival of their quarrel.

They resolved "not to grant his majesty any supply, for taking off the anticipations upon the revenue *;" instead of granting supplies for the navy, they appropriated the customs to that service, and though they did grant money for building ships, it was only by a small majority † that a negative was obtained to a proposition, for placing that money in the chamber of London; to be appropriated to its purpose by the lord mayor and common council. In the midst of these proceedings they resolved, in a committee on the state of the nation, "that the atheism and excessive debauchery now prevalent in this kingdom should be one part of the matter to be redressed in the state of the kingdom." ‡

A strong censure was passed upon those who had disobeyed the king's proclamation § for recalling Englishmen from the service of France.|| This, again, was in effect, not in intention, a vote against the king, but not against his minister.

The votes of the preceding session on the case of privilege were renewed.¶ Lord Shaftesbury, whose cooperation with his friends in the other house consisted, through a strange necessity, in taking the part opposite to theirs, persuaded the lords, in a long and elaborate speech, to assert their jurisdiction, and proceeded with

* Journ. ix. 359. Parl. Hist. 757. Burnet, ii 78.

† Lingard says it was *carried* (xii. 328.); but he is clearly mistaken. Journ. 364.

‡ Parl. Hist. iv. 770. Correctly in Journ. 372.

§ May 19. 1675. || Oct. 23. Journ. ix. 362.

¶ Lingard says, defeated; but see Parl. Hist. 791.; Journ. 381. of Nov. 19., forbidding counsel or attornies to prosecute an appeal against any commoner of England in the house of lords; and Shaftesbury says, that the ministers did not oppose them. — p. 793.

the obnoxious appeal. The duke of Buckingham introduced, without opposition, a bill for the relief of protestant dissenters.* Lord Mohun, who was in the former session distinguished for "the violent part which he took against the commons †," having moved to address the crown for a dissolution of the parliament, the court party could only avert, by two voices ‡, a vote so decisive.

In this division the duke of York, desirous, as is supposed, of dismissing a parliament so hostile to the catholics, voted in the minority with nearly all the peers of that persuasion.

The king immediately prorogued the parliament for the unusual period of fifteen months.§

In the history of this session, there is little of the house of lords, and the name of Danby does not once appear among the speakers. But it has been impossible to separate the public and the personal histories. Danby was the chief minister of the crown; the person against whom the hostile motions were levelled; and by whom, it is reasonably to be supposed, the proceedings of the court party were directed, and the crown advised. Without attending, with some minuteness, to the proceedings of parliament, no fair judgment can be formed of the conduct of the treasurer, in the very embarrassing situation in which those proceedings placed both him and his royal master. Whatever may have been the faults of Charles during the administration of the predecessors of Danby, no charge of malversation at home, or neglect of English interests abroad, had at this time been substantiated against king or minister. The argu-

* Lords' Journ. p. 789. † Parl. Hist. iv. 724.

‡ Fifty to forty-eight.

§ To February 15. 1676-7. Parl. Hist. 803. Journ. November 22., p. 383. At the commencement of this session, many anti-popish measures were begun, but none of them was carried forward. They were entirely in favour of the church of England, and one of them negatived, in effect, though not in words, the dispensing power of the crown. From their tenor it may be inferred that Danby was favourable to them; but the house entertained them coldly, they apparently excited little notice, and were dropped. (See Journ. October 20. 1675; ix. 360.) The Parl. Hist. makes no mention of them.

ments of the popular leaders against confidence in the government were founded, for the most part, upon the mismanagement of former ministers, with whom Danby had been too closely connected.

Of the value of financial statements, of a period so remote, it is impossible to judge. The only account of revenue and expenditure at this period, which I have seen, exhibits a small deficiency; at the same time that the anticipation samounted to 866,000*l.* This was, apparently, the account which sir John Duncombe tendered to the house of commons, and which that house refused to receive*, upon what ground it is difficult to imagine. No man appears so have laid his finger upon the point of extravagance. An economical reformer of the present day would doubtless have suggested great reductions: "the pensions of grace," 145,000*l.*, perhaps, bore too large a proportion to the whole; but the greatest admirer of the opposition of 1675 will hardly defend the refusal of the commons to take off anticipations, and discharge debts, which pressed as heavily upon individuals as upon the state, or to justify the attempts to divert the money voted for building ships, from the exchequer to the chamber of London; a vote justly characterised by sir George Downing †, as a setting up a new government, and imitating the proceedings of the beginning of the rebellion.

The distrustful behaviour of his parliament induced Charles to recur once more to the politic and intriguing monarch of France, whose pensioner he had become in 1670. In 1674, he had received 500,000 crowns from Louis, on condition of proroguing his parliament to April, 1675. However strange his ignorance may appear to us, who are conversant with the modern practice of the government, there is no sufficient reason for believing that lord Danby, high-treasurer of Eng-

* Parl. Hist. 756. Ralph, i. 288, who says that the commons calculated that the king, with the aid of 800,000 ducatoons, under the Dutch treaty of 1674, and other extraordinaries, ought to have one million in pocket. Ralph seldom speaks without book, but I cannot find his authority.

† Parl. Hist. 773.

land at the time, was acquainted with this private bargain. He is not mentioned in the correspondence of the French ambassador in England*, who negotiated this disgraceful arrangement; he himself affirms, that it was not until 1677 that he had any concern in these proceedings. And although it may astonish us, that the motive of a prorogation should not be known to the man who held a situation in the king's councils which would now entitle him to be considered as first minister of the crown, it would seem that the decisions of the king, in this unsettled period of our constitution, were taken sometimes without the advice of any minister, or sometimes with the cognizance of only one, or more, of those who ordinarily composed the cabinet. My conviction is, that lord Danby was as ignorant of this degrading receipt in 1674, as those were who, in the following year, accused him of malversation for irregularities which, compared to this, would indeed have been venial.

It is important to observe the smallness of the sum at this time received by Charles; 500,000 crowns could by no means serve as a substitute for those supplies, which parliament had refused for public purposes; it would indeed, even in those days, have been impossible to apply this money to public purposes, without detection. It appears, accordingly, to have been paid to the notorious Chiffinch, the private agent of Charles, with the nature of whose services to that profligate prince, the public has been lately familiarised.†

At last, thwarted and wrongfully suspected by parliament, Danby, notwithstanding his predilections against the French interests, did become a party, unwilling and indeed scarcely consenting, to one of Charles's arrangement with the French court, founded upon the policy which he entirely disapproved.

Although there is no reason to doubt, but that the

* Ruvigni. September 2. 1674; in Dalrymple, i. 140.
† By sir Walter Scott, in his Peveril of the Peak.

stipulations of this treaty were sold to France for a renewal of Charles's pension, I cannot concur with those* who are of opinion that Danby's participation in these corrupt bargains commenced during the recess of 1676. I see no reason for doubting his own statement, which fixes after the prorogation in April 1677, "the first time of his knowing any transaction about French money." Nevertheless, the stipulations, of which he was undoubtedly conversant, were such as cannot be defended, in regard either to the policy of England, or the principles and professions of the minister.

A negotiation commenced in January 1676, between Charles personally, and Ruvigni, the French ambassador. The only record which we have of this transaction carries us at once into the middle of it. "Afterwards," says Ruvigni† to Louis, "the duke of York supported king Charles's reasons so strongly, that the high treasurer gave way to them, so that it was agreed in his council, to engage directly with your majesty if it was agreeable. The king of England informed me of it the same day, and pressed me much to go into France, to carry the news of it to your majesty, as he could not consent that a secret, which, in his opinion, could not be too much hid, should be trusted to paper, or to any person but myself. What the king of England charged me to make known to your majesty is, that he desired passionately to unite himself strictly with you; that without waiting till it can be done by a solemn treaty, it may be begun at present in secret by reciprocal promises in writing, which should bind him, as well as your majesty, *not to make any treaty with any state whatever,*

* Lingard, xiii. 4. Dalrymple (i. 141—3.) gives Ruvigni's letters of January 3 and 27., and February 3. 1676, in which the proposal of a new treaty, and Danby's reluctance to be concerned in it, are mentioned. One of the letters, Dalrymple heads as relating to the "money treaty." We have not the treaty; but there is not a word about money in the letters, nor any thing which gives reason to believe that it contained any article about money. (See Macpherson, i. 194., and Blancard's Memorial, in Dalrymple, i. 155.)

† January 9. 1676. Dalrymple, i. 141.

without the consent of the other, or to give any assistance to the enemies or rebellious subjects of either."

In making this proposal, Ruvigni proceeds, Charles pressed him to urge Louis to consent to make such an exchange of places, as that the Spanish towns in Flanders might no longer be separated by those belonging to France: the Dutch would not make peace without it; and "as long as the province continued in that state, all England would be always persuaded that Louis might make a conquest of it whenever he pleased; nor would there be any general peace nor quiet in England until he has contented his people, all of whom are fully persuaded that he abandons their interest, through an excess of affection for France; that this opinion raises all his subjects against him."

The further progress of the affair is thus related: — "The king of England, having convened the duke of York, the duke of Lauderdale, and the high treasurer, to confer with them upon *the paper which your majesty knows of*, his last minister (Danby) asked time to examine it before he gave his opinion upon it. . . . . . In fine, the treasurer has been to see the duke of Lauderdale, to whom he has represented the risk they should run of losing their heads, if they alone were to deliberate upon the treaty, and to sign it. It was therefore proposed to admit into council the high chancellor, and all the other ministers. Charles objected, insisted upon secrecy, which could not be maintained if the great seal were used, or the council acquainted with the treaty. He therefore took the resolution to sign the treaty himself, "without the intervention of any commissioners, as soon as he should have agreed upon the articles with Ruvigni." Charles would not even trust the secretaries of state, but copied the treaty with his own hand, and performed even the mechanical process of its execution. Charles had said that his three counsellors, the dukes of York and Lauderdale, and Danby, should advise in his presence upon Ruvigni's project; but the paper as completed was seen only by Lauderdale,

"who was the only one in whom on this occasion Charles put an entire confidence."....."Your majesty may well see, by all that has passed in this affair, that the king of England is in a manner abandoned by his ministers, even the most confidential; that the treasurer, *who fears the parliament much more than his master, and who is very opposite to the interests of France, thereby endeavouring to acquire the people's favour, has formed all the difficulties which I mentioned with a design to hinder the treaty being concluded.*..... The king is so abandoned by his subjects, that even among his ministers, he cannot find one in whom he can place an entire confidence..... All England is against your interests, and there is only the king of England and the duke of York who embrace them with affection.... There is good reason to believe that the king of England, without this new tie, which engages him more than ever in your interests, might have been drawn into his people's sentiments.... The parliaments are to be feared, and it is a kind of miracle to see a king without arms and money resist them so long."

However the stipulations into which Charles entered in this singular, and, as we should now say, unconstitutional manner, were qualified by a regard to the interests of the United Provinces and their frontier, they were certainly such as no minister, priding himself upon his fidelity to the principles of the triple alliance, and his abhorrence of French interests and the politics of Louis, ought to have sanctioned, even by a tacit or compelled acquiescence. The engagement to make no treaty without the consent of another power is of the essence of the most intimate alliance that can be formed; and the whole tone of the language used by Charles, apparently in the presence of Danby, in negotiating with the agent of Louis, give a character to the transactions, which justify a charge against that statesman of acquiescing in measures which he thought injurious to the interests of his country.

According to Burnet, his disapprobation was openly

expressed. He now, at the very moment when the king had united himself with France, "began to talk against the French interest with open mouth*, . . . took so little pains to conceal his opinions from the representative of France, that Ruvigni taxed him with going into popular interests, against those of his master's honour, who, having engaged the king of France in the war, and being forced to leave him to fight it out alone, ought not to turn against him, especially since the king of France referred every thing to him as the arbiter and mediator of the peace. He remembered him of the old duke of Buckingham's fate, who thought to become popular by breaking the Spanish match, and it was his ruin. He said that the king of France was the king's best friend and truest ally, and if he made the king forsake him, and depend on his parliament, being so tempered as they were then, both the king and he might come to repent it when it was too late."† — "To all this lord Danby replied, that he (Ruvigni) *spoke as a faithful servant to his own master, and that he himself would act as a faithful servant to his master.*"

"Courtin, who succeeded Ruvigni in this same year, (1676,) spoke a great deal to the same purpose. Here was a strange reverse of things. Lord Danby was at that time suffering for being in the French interest, and Montagu ‡ was popular as being against it; whereas, to his knowledge, during his employment in England, lord Danby was an enemy to their interest, as much as Montagu was for it."

Lord Danby's reply to Ruvigni is to be commended: but, according to his notions, fidelity to the true interests of his master consisted in thwarting, by all the means in his power, the counsels, whether of the king or of his colleagues, which were opposite to those interests.

Macpherson considers the treaty of 1676 as "one

* II. 88.
† Burnet says, he had all this from Ruvigni himself.
‡ He called him *lord* M.; but Ralph Montagu, ambassador at Paris, is the person intended. In those days, ambassadors were addressed as my *lord*.

of the many deceptions which Charles played off with success on the king of France."* He describes it as containing nothing that was new, but he reckons among its provisions a stipulation to prorogue or dissolve parliament, if it should prove hostile to France. I have already said, that no such stipulation is to be found in Ruvigni's letters, which were Macpherson's sole authority, as they are mine also, for the terms of the treaty.

At all events, it appears, that Louis got nothing by this new agreement. At the congress of Nimeguen†, England was represented by sir William Temple, Danby's friend, and, according to Burnet, his chief adviser on foreign affairs.‡ In Temple's hands, the interests of Holland were not likely to be sacrificed to France. Even without the treaty, Charles could not have co-operated actively with the Dutch; and the treaty did not induce him to direct his counsels against them.

England is said to have enjoyed tranquillity, and much commercial prosperity§, during this long parliamentary recess. "The laws," says the observing Ralph||, "had for the general their course; justice was indifferently administered; whatever influence the ministers had in parliament, it did not prove sufficient to sanctify any one mischief by the concurrence of the legislature; the complaints of the nation at this immediate crisis were rather founded on strong presumptions than known facts." It was chiefly by the proceedings of the duke

* I. 194.

† I have not thought it necessary to go minutely into foreign affairs, because, whether or not it were true (as Burnet says), that Danby knew little about them, it is certain, that although his opinions were sufficiently pronounced (like those of Temple), in favour of Holland and against France, they have not been recorded in any detail; nor is he known as the author of any of the instructions (some of them strikingly able), which were sent to sir William Temple, during the mission of which the commencement was mentioned in p. 212. England having offered her mediation between the other powers at war, a congress was opened at Nimeguen in July 1673; but the Emperor, Spain, and the prince of Orange were all bent upon war (into which they hoped again to engage England), as the means of obtaining the terms of the Pyrenean treaty, to which Louis XIV., on the other hand, would by no means consent. In truth, nothing was done at this congress; the subsequent pacification arose out of other circumstances.

‡ II. 63. § Lingard, xiii. 6. || Ralph, i. 296.

of Lauderdale in Scotland, that complaints, or rather apprehensions, were justified in England.

But, in one transaction of the domestic administration, the too arbitrary character of the ministerial policy did appear, in the revival of an attempt (which had been made by lord Clarendon, and then defeated by William Coventry,) to repress the free discussion of political topics. With this view, a proclamation was issued* for the suppression of coffee-houses, "because in such houses, and by the meeting of disaffected persons in them, divers false, malicious, and scandalous reports were devised and spread abroad, to the defamation of his majesty's government, and the disturbance of the quiet and peace of the realm."† This ordinance was, according even to the opinion of the judges, of at least doubtful legality; and it occasioned great complaints, and probably augmented the evil; and upon a petition of the coffee-men, "who promised to be wonderful good for the future, and to take care to prevent treasonable and seditious talk in their houses," the proclamation was withdrawn.‡

About this time, Sancroft was preferred to the archbishopric of Canterbury, on the death of archbishop Sheldon. If Danby advised this selection of the dean of St. Paul's for the highest post in the church, the advice does him no dishonour. Sancroft was a zealous, conscientious man; and if he was a high-churchman§, his conduct at the Revolution showed that he did not uphold the authority of the church from wordly motives.||

* Dec. 20. 1676. Kennet, iii. 307. Ralph, i. 297.

† Lingard, xiii. 8. ‡ North, 138.

§ See Burnet, ii. 90., and the notes upon him.

|| Under this year, 1676, Burnet tells a story (p. 103.), which his authority is certainly not sufficient to establish. Proposals being before the council for farming the revenue of Ireland, Danby turned suddenly from one competitor to another. "*The secret* of this *broke out*," says our credulous bishop, "that he was to have great advantages by the second proposition. . . . . Lord Widdrington did confess that he made an offer of a round sum to lord Danby, but said that he did not accept it. Lord Halifax was yet of the council: so he observed that the lord treasurer had rejected that offer *very mildly*, but not so as to discourage a second attempt. This nettled lord Danby, who upon this got him to be dismissed from that board." If it be true that the dismissal of Halifax was so

When at last the parliament re-assembled, Charles addressed it in a speech *, to which it was not easy to find an objection : — "I come prepared," he said, after much of exhortation to avoid differences, "to give you all the satisfaction and security in the great concerns of the protestant religion, as it is established in the church of England, that shall reasonably be asked, or can consist with Christian prudence. And I declare myself as freely, that I am ready to gratify you in a further securing of your liberty and property (if you can think you want it), by as many good laws as you shall propose, and as can consist with the safety of the government; without which, there will neither be liberty nor property left to any man.... Let all men judge who is most for arbitrary government, — they that foment such differences as tend to dissolve all parliaments; or I, who would preserve this and all parliaments from being made useless by such dissensions."

He urged the necessity of building ships, asked for the renewal of the additional excise, and offered to prove, by ample accounts, that the revenue scarcely exceeded the ordinary expenditure. — "If any of these good ends," he concluded, "should happen to be disappointed, I call God and men to witness this day, that the misfortunes of that disappointment shall not lie at my doors."

The session commenced with a majority in both houses on the side of the government. On the first great question, — the legal existence of the parliament after the prorogation for more than a year, the minister had a majority in the house of commons of 193 to 142.† The lords not only negatived the motion of the opposition, but committed the duke of Buckingham, lord Salisbury,

caused, the fact affords a strong presumption of the innocence of Danby, who would scarcely have ventured to provoke so able and so sarcastic an enemy. Halifax was put out of the council, together with lord Holles, on the 7th of January, 1675-6.

* Fifteenth session, Feb. 15. 1676-7. Parl. Hist. iv. 807. Lingard, xiii. 11.

† Parl. Hist. 834. Journ. ix. 385. February 17, 1676.

Shaftesbury, and Wharton to the Tower, for denying the legality of the parliament.

This committal is an indication of the great influence of Danby, and of the mode in which he was disposed to use it; and is assuredly one of the cases which exhibit the dangerous tendency of that indefinite privilege of parliament, which has recently excited so much of controversy. The minister, supported by a majority in the house of lords, deprived of their votes in parliament and personal liberty four members of the house, who had presumed to raise, in a manner perfectly regular, a great constitutional question. Here was, no doubt, an unwarrantable use of the power of a majority; but lest this arbitrary proceeding should be ascribed to the cavalier education of lord Danby, be it remembered, that the parliament of 1641 secluded* a large number of members, who refused to concur in the violent resolutions of their more numerous fellows. †

These majorities again excited the suspicion of bribery; and an historian, usually cautious, has stated, that "when the king received, in January, a portion of his annual pension from France, the whole sum was immediately devoted to the purchase of votes in the house of commons." ‡

I have in vain searched for any proof of this application of the French money, or even of the bribery so generally attributed to the lord treasurer. The statement rests, generally, upon the allegations of opponents, and upon the assurances of Courtin, who succeeded Ruvigni as minister from France, and mentions that "*of his certain knowledge*, the money which we paid to Charles had been distributed to gain the votes he stood in need of." § This confidence of assertion, as to that

* Journ. vi. 93.

† Buckingham, Salisbury, and Wharton were released by the house, upon an ample apology, in April 1677. Shaftesbury stood out longer, and having applied in vain to the court of King's Bench, had also to apologise for that disrespect. He was discharged in Feb. 1677-8. See State Trials, vi.

‡ Lingard, xiii. 18.

§ Dalrymple, i. 149.

which he *could not* know for certain, gives no weight to the evidence: nothing could be more likely than that the French agent should be led to believe that the money received from him was used in forwarding his master's interests. But, as it appears that Chiffinch was still the receiver of the money, it is probable that he was also the paymaster; and I believe that it will be admitted, that the expenses which he defrayed were personal rather than political.

But surely the charge of bribery is not supported by the result. If it is true that, on the question of the legality of their own existence as a parliament, the greater part of the members voted with the government, it is not true (as we shall soon find), that the government had an effective majority for carrying on its business.

One gentleman, well acquainted with Danby, but not backward in imputing to him great faults, has informed us of the means used by the treasurer, without pecuniary corruption, to reconcile him to the court. A little before the meeting of parliament in February 1676-7, Danby sent for sir John Reresby *, who "found him very open in his discourse upon several subjects, but for the most part lamenting that his countrymen would not allow him an opportunity to be of service to them with the king, and making many protestations that the jealousies of those who called themselves of the country party, were entirely groundless and without foundation: that to his certain knowledge, the king meant no other than to preserve the religion and government by law established; and upon the whole, wished that neither himself or his posterity might prosper, if he did not speak what he really believed: that if the government was in any danger, it was most from those who pretended such a mighty zeal for it; but who, under that pretence, were endeavouring to create such discontents betwen the king and the nation, as might produce confusion in the end; and intreated me to be careful how I embarked myself with that sort of people.† Reresby,

* Reresby's Memoirs, p. 36. † Reresby, p. 36, 37.

who, it is observable, had been conducted to his seat by Russel and Cavendish*, and who, before it had been hinted to him by Danby that the popular leaders might have at heart their private interests, "had great notions of the truth and sincerity of the country party," now refused to join in the violent measures or niggardly votes of that party. This moderation led to an interview with the king, whose disavowal of evil designs, and suggestions as to those of his opponents, made a great impression upon Reresby, while his knowledge of the indolence of Charles made him less ready to believe that he entertained any daring projects.

In this session of parliament, not only were the supplies tardily and scantily given, but the king was angrily addressed, to take a course of foreign policy inconsistent with his predilections and secret engagements.

The commons voted 584,000*l.* for the specific purpose of building ships†; but, in order to enforce the appropriation, directed that an account of the expenditure should be rendered to their house.‡ This was in itself reasonable, and it is now the constant practice of parliament; but it was, at the time, an indication of jealousy and distrust.§

The house of commons very soon began to press Charles upon foreign affairs, and to regulate their financial votes by the answers which he gave. They first addressed him on the danger arising from the growth of the power of the French king, and especially from his conquests in Flanders, and praying him to

* P. 25. † Parl. Hist. 835. Journ. ix.

‡ A motion for appropriating the customs to the navy was negatived, 175 to 124. If I understand this proposition, it would have neutralised the supply.

§ Lingard says (xiii. 19.), that "no portion of the money was suffered to pass through the hands of the treasurer," and in p. 171 of the Hist. of England in this Collection, it is said that the lord treasurer was excluded from all participation. But it no where appears that the ordinary course of the exchequer was disturbed, or that any of the treasurer's functions were superseded; the money passed through the usual channels, but a strict account was required. The lords put in a clause, for an account to be rendered to them also, but withdrew it on a remonstrance from the commons, and at the suggestion of the king. (See Reresby, 45.)

make alliances for securing England and the Netherlands.*

The king's answer was favourable, but vague †, and produced a second address ‡, assuring the king, that if he went to war they would support him.§ Secretary Williamson endeavoured in vain || to weaken or modify the demand of new alliances. The king soon afterwards asked the house to enable him to make preparations.¶ Secretary Coventry asked, reasonably enough,—"What if the king make alliances with one hand, and offend with the other, and be not provided with defence? A man would have his servant go a journey, but will not have him engage in it till he be provided with boots and horses."—"Are we assured," demanded Mr. Hopkins in return, "that the servant would go that journey when he has boots and horses provided?"—"Would it be wisdom," rejoined Coventry, "in the king to tell you what journey he would go, or that he would go a journey, without being provided for it?"

This captious debate illustrated the state of feeling between the king and the commons; they wished for war, and were prepared to grant money for war; but they were afraid that Charles would take their money and neglect their wishes. They now told him that, having a bill in progress for granting an additional excise, they had enabled him to borrow 200,000*l.* upon

* March 10. 1677. Parl. Hist. iv. 845. The lords proposed to add Sicily; the commons reasonably objected, and the lords gave way.—Lords' Journ. xiii. 73.

† "He is of the same opinion with his two houses of parliament, that the conservation of Flanders is of great importance to England, and therefore he assures them, that he will take all the care for the present of Flanders, that can possibly consist with the peace and safety of the kingdom."—p. 845, March 15, 1676-7.

‡ March 26., p. 860. § March 29. 1677, p. 859.

|| He was beaten, 131 to 122. The lords' concurrence was not asked. Reresby says (p. 43.), that it was agreed that "the king should not be obliged to return any answer to this address, though a number, who would have drawn him into inconveniences, would have had him urged to declare his intentions therein; by which he must have either disobliged the nation on the one hand, or on the other have declared war with France, before he was prepared to prosecute it." I do not reconcile this supposed tenderness with the rejection of Williamson's amendment.

¶ Message, April 11., p. 868.

it. The king said, he must have 600,000*l.* upon new funds. They answered, that they could do no more, as their members were dispersed for the Easter holidays; and begged to adjourn now, and meet again before the 200,000*l.* could be expended. The king did "graciously accept of this address"*, and immediately passed the bills, and desired both houses to adjourn to the 21st of May.†

These proceedings of the commons are thus explained by Reresby‡:—"Some of the discontented had resolved to hasten the money bills as fast as might be, that so the house might rise before Easter, and the public bills that were preparing be left unpassed, hoping thereby to incense the nation, and bring about cause of complaint against the king, as if he called the parliament together for nothing but to get money from them."

It is said that, in the interval, the Imperial and Spanish ambassadors applied large sums to influence the commons to persevere in their votes for the security of the Netherlands§; and it is clearly proved, that the French ambassador took a similar method of inducing the opposition members to withhold money from the king.||

It has lately been said¶, and justly, that "the commons, however factious or corrupt, had good reason for their distrust;" but it was said, with equal justice, by the king, "How can I depend upon my parliament to furnish me with regular and equal supplies to carry on a war, which they will not so much as enable me to prepare for." **

The house did not re-assemble in better humour, when the king adverted to the insinuation, that he had called them together only to get money from them for other uses than they would have it employed, and told

* This was signified in a message through secretary Williamson; but this, and other incidental proceedings of some interest, are left unnoticed in the Parl. Hist. (See Journ. p. 422.)

† April 16., p. 865—870.

‡ P. 44.

§ Courtin, May 13. 1677. Dalr. i. 149.

|| See *post*.

¶ Cont. of Mack. vii. 174.

** Reresby, p. 47

them, *on the word of a king*, that they might trust him; declaring, however, that "he would neither hazard his own safety nor theirs, till he was in a better condition than he was able to put himself, both to defend his subjects, and offend his enemies." * — They resolved that they would not comply with the king's demands until the alliances had been made.† This vote, and the consequent address, were preceded by debates, which must have shown to Danby the false position in which he had placed himself. Much distrust of the ministers who had broken the triple alliance was avowed; but no reply was made to secretary Coventry, who urged, that if the ministers were not to be trusted, they ought to be removed, — a doctrine, which was not at that time established, as it now is: the want of it occasioned, on this and other occasions, a great embarrassment to the public service. There was no government capable of using the resources of the country in the pursuit of its own policy. The king's ministers did not oppose the address, but they urged vehemently, but in vain ‡, that the particular call for an alliance offensive and defensive with Holland was against precedent, and an invasion of the king's prerogative; and was likely to embarrass the king in his negotiations.

The king took a day to consider his answer, and then made a very angry one, ending in an adjournment to the 16th of July, with an avowal, that it was the king's intention that parliament should not re-assemble before the winter.

In the midst of these discussions between the king and parliament, Danby introduced into the house of lords a bill for securing the protestant religion, in the event of the crown devolving upon a Roman catholic.§ His plan was to place ecclesiastical patronage in the hands of the bishops (the king, in the case of an episcopal vacancy, having only to nominate one of three); and to place also in the hierarchy the care of the royal

* King's Speech at Whitehall, May 23. 1677. Parl. Hist. p. 873.
† P. 879. ‡ P. 853. Lords' Jour. xiii. 48. 50. 56. 68.
§ Lingard, xiii. 17.

children. This plan was undoubtedly consistent with the acknowledged principles of Danby, in respect as well of the hereditary monarchy, as of the protestant religion. It was conformable also to the prejudices of the nation. But it was dropped in that house, in which Danby is supposed to have acquired a corrupt influence. The opposition was variously composed; the duke of York and his friends opposed it, as well as the ordinary opponents of the government. The nature of the opposition from the latter class may be gathered from the principal passages of Andrew Marvel's speech:—"The bill seems very unreasonable; the beginning is of two things, not of mature consideration. First, it supposes the death of the king. It might have had a more modest word to have disguised it from the imagination [demise]. Secondly, it supposes, that possibly the crown may devolve on a popish government; which ought not to be supposed easily and readily. God be thanked for the king's age and constitution of body! The king is not in a declining age, and if we intermeddle in things of this consequence, we are not to look into it so early, as if it were the king's last will and testament. The law makes it treason to imagine the death of the king that is — a word more in it.— The true and proper sense is not to imagine the king's death. His age may confirm you in no danger suddenly of the consequences of the bill; but as for that of 'a popish successor,' he hopes it is a matter remote in the event, and would not precipitate that evil, nay not in a supposition. For some reason, without doubt, this matter has been thought of in the house of lords, and next to the king living, he would cast as little umbrage on the successor as might be. There is none yet in sight, but whose minds are in the hands of God, 'who turns them like the rivers of water.' Whilst there is time there is life, and whilst life, time for information; and the nearer the prospect is to the crown, information of judgment will be much easier. When God 'takes him on high, and shows him the glory of

the world,' and tells him, 'all these things will I give thee, if thou wilt fall down and worship me,' he thinks there will be no temptation. Those who change for conscience sake, will have so much self-denial, that the crown will not make them alter the thing. It is unseasonable; it may be proper some other time, but not now." *

Marvel was unquestionably pure from corruption by money; but surely his mind was unduly biassed by party, when he opposed, upon such grounds, a measure calculated to mitigate the great evil of a popish successor.

The opposition, however, was successful; the bill was quietly dropped.

A more violent fate awaited the other measures which Danby introduced for suppressing popery. — He proposed to levy an annual penalty or tax upon popish recusants; to subject Romish priests to imprisonment for life, at the king's pleasure, instead of suffering for treason; and to educate as protestants the children of deceased catholics.† This bill was thrown out with indignation by the commons, because, as the journals record, "upon reading the said bill (for the more effectual conviction and prosecution of popish recusants), and opening the substance thereof to the house, it appeared to be much different from the title thereof, and thereupon the house *nem. con.* rejected the same."‡ As there is no record of the proceedings of the house of lords, and the ministers in the house of commons said little upon this bill, I cannot ascertain its real principle, or Danby's motive. It was opposed, as much too mild, and as favouring rather than discouraging popery. Mr. Sacheverel proposed that the journals should describe it as meaning "a toleration of popery §," and sir William Coventry suggested an entry, "That finding that the bill repealed many laws against popery, we

* Parl. Hist. iv. 855. The remainder of the speech consisted chiefly of reflections upon the bishops.
† Lingard, xiii. 16. Lords' Journals, *ut supra*.
‡ Parl. Hist. iv. 863. Journ. ix. 414. April 4. 1677.
§ Parl. Hist. iv. 863.

have thrown it out." If this bill, repealing the acts which made Romish ordination treasonable, allowed the milder penalty to be subject to *the king's pleasure*, it would certainly have become favourable to popery, should the king be a papist. The duke of York opposed even the former bill *, which was evidently meant as a substitute for exclusion. The conciliation of James, therefore, could not be the motive of Danby. The principle of rendering laws more effectual by the diminution of the penalties had scarcely reached the statesmen of this age. However, be the motive what it might, the measure was defeated, and the commons sent up a bill of their own to the lords, which was silently dropped.

The house of commons was occupied, during this session, in a case in which Danby was accused of acting harshly at the council table towards one Harrington †, who professed to give information of the seduction of the king's subjects into the service of France. The accounts of this proceeding are incomplete, and as the commons dropped the inquiry, it is probable that they found no great cause of censure.

It was during the interval occasioned by the adjournment of parliament in May 1677, that Danby (now adorned with the garter ‡) became, for the first time, a party in the negotiation with France for money. I trust that I have shown that he was not concerned in the arrangement of the preceding year, whereby Charles obtained the renewal of his pension; nor was he, I am satisfied, conusant of any thing that passed upon the subject until a very short time previously to the adjournment of July 1677.§

On the 21st of June, a letter had been addressed to the king by Montagu, from Paris ||, reporting to him

* Protest in Lords' Journals, xiii. 75. † Ralph, i. 114. Parl. Hist. 845.
‡ April 21. 1677.
§ When the houses met on July 16., in pursuance of the adjournment of May, they were immediately adjourned further to the 3d of December. Parl. Hist. p. 91.
|| Danby Letters, p. 1.

the disposition of the French court to increase Charles's pension during the war, and give him a round sum upon a peace. This he gathered from conversations with Ruvigni, who observed that "he found all the English ministers turning against France, and my lord treasurer, particularly, absolutely in the prince of Orange's interest; that he was afraid that Charles would be brought to join all the confederates, and abandon France." Montagu, who at this time, from motives which we shall presently appreciate, was making his court to Danby, observed, in replying to Ruvigni, that "my lord treasurer was the man the king now most trusted;" and he thus concluded his letter to the king of England; — "Since I do not know which of the ministers you are willing to trust, I have taken the boldness to give yourself this trouble; and if you trust any, I had rather it were my lord treasurer, because I think he is the best judge of such an affair; and except you shall think it for your service that he sees this letter, I humbly beg my sister* may see it burnt, because M. de Ruvigni is concerned in it †, whose utter ruin the story I told you might be. And your majesty is so wise and just, that I in no manner doubt of the secrecy."

Charles did communicate this letter to Danby, who thereupon wrote, on the 15th of July‡, the first of a series of letters, which led to his impeachment and disgrace. He conveyed to Montagu the king's commands to proceed in the negotiation, and get all the money he could. "Unless he can be then, at the peace, certain of the four millions, the addition of one million during the war will not be enough, it being impossible, with less than the value of 200,000*l.* sterling a year, whilst the war lasts, to support his affairs, *in which he suffers so much for their sakes, as I confess, in my own opinion,*

* Mrs. Hervey. She was the wife of Mr., afterwards sir Daniel Hervey, ambassador at Constantinople.
† The letter mentioned Ruvigni's discontent with his own court.
‡ Danby Letters, p. 7.

no money can recompense." He instructs him not to proceed, unless he sees his way clearly through.

Danby wrote on the next day * a letter, apparently of a more private nature; — "His majesty is very well satisfied to know these passages you writ him of M. de Ruvigni: but *I confess, I wonder to find that his majesty has not had more than a million of livres a year, and that but for one year past;*" and he reiterates his opinion, that the loss of reputation belonging to these transactions outweighed the pecuniary advantage. "But so little faith have I in any of their promises, that unless you can secure what they promise, I shall expect the noise, rather than any benefit from them. *I perceive by you that Mr. Chiffinch has been, and is to be, his receiver* of whatever shall be had from hence, and I am very glad of it, being truly desirous of having as little to do with them in anything as I can, unless it were to cudgel them out of that contempt they have not only for our nation, but the very person of the king, although he be so unhappy as not to believe it." He then, in reference to the congress at Nimeguen, mentions the difficulty of persuading Charles "to change the character of mediator for that of arbitrator; but I fear," he continues, "his majesty will not do it, thinking himself to be tied up to such nice points of honour, as, I durst take the sacrament, would not be stood upon an hour by the king of France, if the condition of our master were his. I entertain you the longer upon this subject, because I think it our duty, by all the means possible, to convince the king of this truth. And if you, who have many opportunities of doing it, could send me *some of those frequent instances, which I am confident there are, of that court's despising the counsels of this, it might be a means of saving us from being ruined by that nation, which, I believe, designs nothing so much as to be the ruin of this.*" He then alludes to a supposed underhand proceeding of the French at Nimeguen, in reference to a commercia

* Danby Letters, p. 9.

treaty with Holland . . . . . "I am so much a stranger to all the French counsels, that I neither know why M. Courtin is removed, nor upon what measures M. Barillon is sent; only I find, and I am not at all sorry for it, that I am likely to have no more of his conversation than I have had of M. Courtin."

After a letter of compliment and devotion, on the 7th * of August, Montagu writes to Danby on the 12th †, mentioning the proposals which he had made at the French court; but "M. de Pompone tells me this morning, that *M. Courtin has agreed this matter with the king my master, and in your lordship's presence,*" and that Charles would be contented with less advantageous terms, with which Montagu is much disappointed, and assures Danby of his own cleverness in gaining a point; especially if he has the means of "making presents where it is necessary." He has engaged to make such presents now; requests lord Danby's directions as to the mode of remittance; and proceeds, "*I am to beg your pardon, my lord, and I think shall easily obtain it, if without your knowledge I have received some propositions, made to me, of great advantage to your lordship. If you will please to use your interests with the king your master, to be contented with a less sum than is insisted upon, they taking it for granted, that it was your advice that raised the market;* I tell you the very expression; and my answer was, you served too good a master, and was too good a servant, to receive any advantage from any body else, and there could be nothing so disobliging to you as the thoughts of offering it." — On the same day, he wrote another letter ‡, complimentary to Danby: — "I wish your king would have let this whole matter have been transacted by so wise and faithful a servant as yourself. He would have found the benefit, and either would have had nothing, or a larger sum than a million of livres a year." Danby's answer, of the 20th of August, is

* Danby Letters, p. 12. † P. 13. ‡ P. 17.

remarkable. "The king is gone to Plymouth, and till his return I shall be able to say nothing to such surprising matter as your letter imparts in every part of it; for in the first place *I never spoke to M. Courtin in my life, about that or any such affair, till since I received this last letter from you, so that all he has said was done in my presence, is utterly false.* In the next place, I know nothing of the king's changes of mind in that business, only I know that he has more reason than ever to be positive in his resolutions; but I know not what to say in it, because, since I received your letter, I had some discourse with M. Courtin, who speaks much the same kind to me, that you had from M. Pompone; the truth of which must remain until his majesty's return, and then we shall both know what we are to do. In the mean time, I think it is not necessary to send any express, but *I give you thanks for making that answer you did concerning any advantages to myself.*"*

Although Danby acknowledges having concurred with Courtin on this affair, he was only partially informed of it. He was not aware of what had passed between Charles and Courtin, who had not only offered money to the king of England, but also troops. "His majesty (of France) being always ready to employ all his forces for the confirmation and augmentation of his (Charles's) authority, he would always be master of his subjects, and will never depend upon them."† On Charles's part also, the offers were more specific and extensive. "On the 18th of July 1677, Courtin writes, that Charles had insisted for 800,000 crowns, in consideration of which *he offered to prorogue the parliament till the end of April* 1678."‡ It would be inferred from Danby's own statement, palliating his concern in a subsequent affair of money, that he was not aware of this, or of any condition, *except such as related to the terms of peace.* The letters of Courtin are not

* Aug. 20. 1677, p. 18.
† Courtin to Louis, July 12. 1677. Dalrymple, i. 150. ‡ Ib.

inconsistent with this statement, which indeed I see no reason to doubt. In the letter in which Courtin reports the conclusion of the bargain, he mentions repeated contests with the treasurer, who always urged his master to insist upon the larger sum, observing, (in conformity with the opinion repeatedly given to Montagu,) that "Louis hazarded nothing but money, whereas Charles hazarded his crown, by opposing, as he did, the universal desire of his subjects. In fine, after many conferences, I have agreed upon all things, in such a way, as makes me hope your majesty willl not disavow me. *The king of England has given me a positive assurance, that he will adjourn his parliament from the 13th of December to the end of April.* I promised that your majesty would pay him this year 2,000,000 of livres."* The Frenchman does not mention Danby as a party to this engagement; and as it is clear that the treasurer was not always aware of Charles's motives for proroguing parliament, it is not improbable that the prorogation may have been *thrown in*, to obtain a larger sum. Even such as he understood it, the bargain was distasteful to Danby, who endeavoured, on the first opportunity, to defeat it, by pretending that the sum had been mistaken, and upon this point he pressed his master with uncourtier-like urgency. "In the name of God," said Charles to the new French ambassador, Barillon, "do not speak to me of this affair; I am so confused about it, that I cannot bear its being spoken of. Go to the treasurer, and do as you and he shall understand the matter. As to myself, I am driven to despair whenever it is mentioned to me."—"But your majesty," answered Barillon, "very well knows, that sending me to the treasurer is embarrassing the affair afresh, for the treasurer will not give it up. He lately made a difference about the 200,000 crowns which had been paid; and as he saw your majesty had

* Dalr. p. 151.

condemned that pretension, he now forms a new difficulty." *

Danby, obstinate upon the point, whereby he hoped to nullify the whole agreement, had in the mean time transferred the negotiation to Paris. Quite unmoved by the liberal offers of France to himself, he obtained the king's authority to apprise Montagu that the king had inadvertently consented to two millions of livres instead of 200,000*l.*, and to instruct him to insist upon the sum to be 200,000*l.*, saying, that he perceived that the king did once think to have made a shift with two millions but that now he finds so great cause to apprehend a breach with Spain, or at least so much appearance of it as will necessitate him to be at more charges than he intended in the Western Islands †, so that he must needs desire that sum." ‡

Montagu continued to report to the king and his treasurer his continued, but ineffectual, endeavours to obtain the larger sum. His letters are full of what Danby himself calls "over-great compliments §" to the minister. "I have played this business, which was almost spoiled, into your hands, that the ministers here may see the king trusts you as much in his foreign affairs as in those that relate to your office at home; and without compliment or flattery, you will serve him better than any secretary of state I ever knew him have yet, *or sir William Temple if he were it.*" ||

This gratuitous mention of Temple originated in Montagu's jealousy of Danby's favour towards that rival *diplomate*.

The king of France ordered the correspondence to be again transferred to London. Montagu solicited leave to come home for a fortnight, and begged that he might be permitted to see Danby at once. There was now a cessation of the correspondence.

* Barillon to Louis, October 4. 1677. Dalrymple, p. 153.
† The West Indies, I suppose.
‡ September, 13. 1677. Letters, p. 24.
§ P. 98. || Oct. 12., p. 36.

While Danby was impeding, by all means in his power, the conclusion of the pecuniary bargain with France, he was in close correspondence with the prince of Orange.

This correspondence began in 1674, being commenced by the prince himself *, to whom the favourable language of Danby had been reported. At the end of the same year, the good understanding was improved by a visit made to Holland by Danby's son, whom William commissioned to procure from his father the payment of a debt due to him by the king of England. This payment was effected by an assignment on the 800,000 patacoons exacted by the treaty of 1674; an accommodation which the prince, probably with justice, ascribed to the influence of the treasurer. †

In May, 1677, lady Temple ‡ brought over, with special instructions to communicate it to lord Danby alone, the first intimation of William's desire to court the princess Mary; and the treasurer immediately espoused, with much eagerness § an affair which promised to give an advantage to his favourite views of foreign policy, while his furtherance of the wishes of William connected him with a protestant prince, not remotely allied to the throne. He obtained, in September 1677, the king's permission to invite the prince into England, and was instrumental in removing the difficulties which were made, not only by the duke but by the king, who proposed that the marriage should be deferred until after the peace; and this auspicious union was completed on the 4th of November. The gratitude of William to lord Danby was expressed with considerable warmth, at the moment of his departure. ||

While the prince was in England, he arranged with Charles the terms that should be offered to Louis. By

* April 3. 1674. Danby Letters, p. 125.
† December 27. 1674, and February 20. 1675, p. 127. 129.
‡ P. 247. 285. See the Life of Temple, i. 468.
§ Burnet, ii. 119, 120. James's Memoirs, i. 508.
|| Margate, December 8. 1677, p. 157. Mary, when queen, had not ceased to "remember her obligations to lord Danby on account of her marriage." July 17. 1690. Dalr. iii. 95.

these a satisfactory frontier was secured, and every thing was to be mutually restored between France, the emperor, the empire, and Holland*: and Charles now took an active part in urging their acceptance upon the French king. At first it was intended that Temple should carry the terms to Paris; but lord Duras (afterwards Feversham) was substituted; partly, perhaps, on account of the very singular nature of the instructions contemplated; partly, because that nobleman was more likely than Temple to conciliate the continued favour of Louis for his pensioner.

The instructions† were such as probably the world has not seen before or since. They gave the following exposition of Charles's motives, and most forcible reasons for the acceptance of the terms:—"We find the humour of our people so violently bent upon the preservation of Flanders, and for which we have so often assured them of our care and endeavours, that we do not see how we can live at any ease with them if we should suffer it to be lost by any further conquest there during this war, or by the terms of a peace ruinous and destructive: That this jealousy in the parliament, and the desire thereupon of engaging us in the war, had for these three years last past run us into so many difficulties, by hindering our supplies, and raising so general discontents among our subjects, because we alone have stemmed this tide for so long together, that we reasonably doubt whether the heat of a whole nation be always to be resisted: That we shall be necessitated to call a parliament in April, by reason of a very great branch of our revenue that will determine at Midsummer next, and that we cannot have the least hopes of getting it continued, if, after these assurances we have given them of the preservation of Flanders, they shall find it in so much a worse condition than when they parted: That if a peace shall not be concluded, or, at least, the main

* Temple's Memoirs, ii. 435. Lingard, xiii. 29.
† Nov. 10. 1677. Countersigned by secretary Coventry.—Lord John Russell's Life of Lord Russell, ii. 218.

points agreed upon before that time, the great influence that some of the confederates' ministers (less inclined to a moderate peace than the prince of Orange) seem to have amongst some warm men in the parliament, may raise many difficulties, which, by concluding it now, may safely be avoided. How far the irresistible temper of the house did necessitate us to a peace with Holland, is well known to the most Christian king; and they, having the like advantage now upon us in respect of our revenue, they then had in respect of our expenses, to what straits they may and are like to drive us, is not hard to guess: That besides this, the many obligations we have to take care of the welfare and safety of the prince of Orange needs not repeating to you; they will sufficiently occur to you of themselves; and we do find a thorough resolution in that prince to fling himself into the most desperate counsels imaginable, rather than consent to the loss of Flanders, by such a measure as must ruin it, in which he judgeth his own honour and country's safety concerned to the uttermost. ...... This opportunity being lost, I* know not when we shall be master of such another, if the meeting of parliament should, as there is probability, cross the measures we have now taken." † In one respect, certainly, these were exactly such instructions as it would have befitted Temple to carry: in openness and candour, they have scarcely their counterpart in diplomacy!

Charles apologised privately to Barillon for proposing these terms of peace, and did not enforce the order to lord Duras, to return in two days if they should not be favourably received.‡ And he fulfilled his secret treaty, so far as to proclaim his intention of proroguing his parliament to April 1678.

But Louis, though he detained Feversham two weeks

* This change from the plural to the singular number is remarkable.
† Dec. 4. 1677. Lord J. Russell, 4to. 294.
‡ Barillon, Dec. 16. 1677, mentioned (but not quoted) in Dalr. i: 180.

at Paris, decidedly rejected his proposals *, and the French army made a favourable commencement of a winter campaign. † Charles now took, or appeared to take, a more warlike resolution. "Your highness may judge," writes Danby to the prince, "how much our temper is altered, when the principal end of this express is to tell you, that the king will join with Holland to oblige France to accept the proposals sent by lord Feversham, in case Holland will join with him to oblige Spain to the same if they shall refuse it. — And the king will rely upon your highness's single engagement for this, without saying anything to the States of it. Your highness will easily remember how far the king was from coming up to this, when you made several essays to have gained it from him; so that, your highness will give me leave to say, the fault will now lie on your side of the water, if you have not either the peace upon the terms proposed, or us engaged as deep in the war as yourselves." ‡

The prince was delighted with this message, and gave to Danby the credit, which he probably deserved, for bringing about this change in the English counsels. § The parliament, notwithstanding the public announcement that it was not to meet until April, was adjourned from the day of its meeting in December, only to the 15th of January. || Montagu was instructed to repeat the proposals to Louis. He was again to urge the king's apprehension from the temper of his parliament: — "Our necessities and the conjuncture of our affairs are such, that a longer living at a distance from our people cannot be continued without apparent danger to our very being and crown. If you shall be asked the reason why we have antedated the day for the meeting of the parliament, you must plainly say, that the great preparations and present marches in Flanders, with the siege of

* Danby to the prince, Dec. 8. 1677, p. 160.
† Lingard, xiii. 31. ‡ Ib.
§ Hague, Dec. 21. p. 167.; and see Bentinck's letter of Jan. 7., p. 173.
|| Parl. Hist. iv. 895. Journ. ix. 426.

Ghislain, joined to the answer given to lord Feversham, made it seem necessary to us, lest Flanders should be lost before the meeting of our parliament, which, besides many inconveniences as to the reputation of our conduct and prudence, would probably have raised a storm too violent for us to allay."* This appeal also failed. Montagu was informed that Louis would never give up Valenciennes, Condé, or Tournay. But Louvois added, that "if Charles would procure a general truce for a year, and in that time manage the prince of Orange, so as not to insist upon those places, he should be paid as much as if those places were your own; and though such a sum of money as this would be hard to return, it should be put into wedges of gold, and so put into bales of silk, and sent over in a yacht. And *as for my lord treasurer (whom they looked upon as a chief adviser in this affair), if I would do them the kindness here to sound him, there is nothing they would not give him, to make his fortune. It should be given him in diamonds and pearls, that nobody could ever know it*, and *I myself should not be forgot if I would propose to him*. I undertook to answer, that *my lord treasurer is not to be gained for any interest, but what he thought to be his master's;* and as for my proposing any such thing to your majesty, I durst not do it." †

Montagu, who had certainly at this time received money or liberal promises from the French court, was urgent with the king and treasurer in discouraging a breach with France.‡ In one of these he hints a belief that the king only insisted upon Tournay, out of kindness to his nephew, the prince of Orange; and throws out a suggestion for marrying Charles's niece, the daughter of the duchess of Orleans, to the dauphin of France, although he was at that time engaged to a

* Lord John Russell, 297.
† Montagu to the king, Dec. 29. 1677, p. 38.
‡ Montagu to the king, Jan. 1. 10., pp. 43—48.; and to Danby, Jan. 8. 0, 11., pp. 46. 50. 53. In that of Jan. 8., he thanks the treasurer for some personal kindness shewn to his father.

princess of Bavaria. "If you were as kind to your niece as they thought you were, you might easier get her a kingdom than you a town;" thus, "her children, who would be your nephews, would have Tournay and all France besides, and owe it to you."*

In a letter of the same date to lord Danby, Montagu gives, as one reason for the rejection of lord Feversham's terms, the reliance of Louis upon the indisposition of the parliament of England to the war: a strange mystification this, seeing that, in order to avoid war, the French king had recently purchased a prorogation. "Believing this here," he says, "and that the king cannot do what he would with the parliament, makes them play such tricks here with the king our master."

Another letter partly explains the mystery, and gives a further insight into the schemes of Louis for neutralising the English parliament. In this letter he announces the well-known journey of the younger Ruvigni to England†—"If his father's age would have permitted it, I believe they would have sent him, for they have chosen the son, who is to make use of lights his father will give him, and by the near relation he has to the lady Vaughan‡, who is his cousin-german, and the particular friendship which father and son have with Mr. William Russell, *he is to be introduced into a great commerce with the malcontented members of Parliament, and insinuate what they shall think fit to cross your measures at court, if they shall prove disagreeable to them here*, whilst M. Barillon goes on in his smooth civil way."§

I would call particular attention to Danby's reception of these communications. Sir William Temple was with him when that letter arrived in which the offers of personal enrichment were held out. "My lord treasurer," he tells us, "read the letter to me; and I said,

* Jan. 10. 1678, p. 48, 9.
† Jan. 11. 1677-8.
‡ Rachel Wriothesley, married first to lord Vaughan, and afterwards to lord Russell. Her mother was a Ruvigni.
§ P. 53, 4.

Well, my lord, what do you say to the offer? He answered, that it was the same thing as if it should be made to the king to have Windsor put into the French hands, and so he should treat it; and we had nothing to do but to go on with the treaty with the confederates.*

And he wrote in this spirit to Montagu, so far as he was himself concerned, though he was not permitted to disclaim at all events, on the part of his master, the receipt of money: —

"I have nothing to add as to the public, to what I writ you in my last of the 9th instant; but *I am on my own account to acknowledge the justice you have done me to the ministers in that court, who judge others by themselves*; and though I know I lose a great deal in reputation with them, to be thought one that will not make my own fortune upon any terms, yet I have the comfort of believing my credit so bad with them, that it can hardly be made worse; and I wish theirs was as little with others here, as it is with me. Upon that part of your letter to the king which speaks of money, he told me, he should be glad of their money, *provided the confederates might have such a peace as would satisfy them*; and if things shall at any time come to that pass, you need not fear but your advice of secrecy will be taken: and the management also will as certainly fall to your share, both for the reasons given by yourself to the king, and that *I shall very unwillingly enter into a matter, which, first, I believe they will not perform; but if they should, may perhaps do the king more hurt than good.*"† — "Your intelligence concerning M. Ruvigni," he says in his next letter, "has not been the least of your favours; and, hitherto, his son's steps have been very suitable to your informations; for yesterday he came to me with M. Barillon, and discoursed much of the confidence the king hath of the firmness of ours to him,—of the good opinion his master hath of me,—of his king's resolution to consent to any

* Temple's Memoirs, ii. 443.

† Jan. 14. 1677-8, p. 54.

thing that is not infamous to him for the satisfaction of our king, — how certainly our king may depend upon all assistance and supplies from his master, in case the friendship be preserved, — and, in short, went so far as seem desirous to have me understand, although he would not directly say it, that his master might be brought to part with Valenciennes and Condé, but not with Tournay; and the main of their drift was, to engage me to prevail with the king, to prevail with the prince of Orange as to that town; and pressed the matter upon me as a thing wherein they thought I had an interest of my own with the prince of Orange, sufficient to persuade him to put an end to the war by that means. — I answered (as is most true) that there is nothing I am so desirous of as the peace; but I thought things were gone so far, that it was only in his majesty's power [the king of France] to prevent the war, and that I would contribute to any possible expedient to that end, but that *they must apply themselves to the king himself*; and when it came to my part, I should be found to contradict nothing which might be agreed for preservation of the friendship betwixt the two kings." He then mentions their going to the king, who desired to have their proposals in writing. . . . . . "As to the main points of peace and war, it will certainly depend upon the king of France his consenting to first propositions, our king being engaged to oppose any party that shall refuse them. Nor will the time for that consideration be much longer, since it will be impossible but the king must come to some declaration of his mind*, to the parliament when it meets." Now appears the effect of the princess Mary's marriage. "That which makes the hope of peace less probable is, that the duke grows

* Lingard says (xiii. 29.), that "No arts of the prince could draw from his uncle an engagement to join his forces with those of the confederates in case of a refusal of the terms agreed upon, and sent to Paris by Feversham;" and he refers to Danby's letter of Dec. 4. (p. 162.), which he considers as outweighing the contrary testimony of Temple.

But, in that letter, Danby says to the prince,—"The fault will now lie on your side the water, if you have not either the peace upon the terms proposed, or us engaged as deep in the war as yourselves."

every day less inclined to it, and has created a greater indifferency in the king than I could have imagined; which, being added to the French king's resolutions not to part with Tournay, does I confess make me despair of any accommodation. Nevertheless, I am assured, that one principal cause of this adjournment* for thirteen days, has been to see if any expedient for the peace could have been found in that time; and the effect of the adjournment has hitherto been, that nobody will now believe other than that the peace is already concluded between us and France.†

The strange position of a minister in those days appears in the fact, that not only he was not the author of so important a measure as the adjournment of parliament, but he only inferred, or collected from doubtful information, the motives of that procedure. If this were consistent with the then acknowledged practice of the government, the allegation, that his measures were dictated by the king his master, was not so invalid or unconstitutional a defence as we have habitually esteemed it.

Montagu, about the same time, gave further accounts of the objects of Ruvigni's mission:—"His chief errand is to let the king know, that the king of France did hope he was so firm to him, as not to be led away by the grand treasurer. He was an ambitious man, and, to keep himself with the people, would gratify their inclinations, by leading his master into an unreasonable war against France. That as for money, if he (king Charles) wanted that, he should have what he wanted from hence; *his instructions are, if this does not take by the means of* William Russell *and other discontented people, to give a great deal of money, and cross all your measures at court.*" Montagu advises, that Ruvigni should be requested to retire, because the king knows he has a relation and commerce with people ill affected to the government." "*Ruvigni gave it to them as a*

* From Jan. 15. to 28. Parl. Hist. 896.
† Jan. 17. 1677-8, p 56.

maxim, that they must diminish your credit before they can do any good." He then begs to know, whether the king is for war or peace, and engages, "if he hearkens to their money, to get him as much again;" but he desires to be fully informed of what passes in London, because, "believing me to be so much your lordship's servant, they will not believe me their friend."* Another letter of the same date speaks of intrigues with Colbert, who is more disposed to be liberal than his colleague Louvois. Whether from caprice, the influence, newly directed, of the duke of York, the management of Danby, the disappointment at the stoppage of the pension, or from whatever cause it might be, the counsels of Charles were at this time opposite to the interests of France, for he now concluded a league † with Holland, binding each to enforce upon France, by war, the acceptance of the terms which had been arranged with the prince of Orange.

One consequence of the change which the marriage of the princess Mary occasioned in the politics of the English court, was, that the prince of Orange was no longer the rallying point for the opposition. And, in one point at the least, the destruction of the earl of Danby, the interest of Louis and that of the leaders of this party became the same. They therefore were very ready to receive, if they did not themselves originate, overtures from France, of co-operation and assistance. Such overtures indeed, according to Courtin ‡ and Barillon §, had preceded the mission of Ruvigni. To some of these leaders, beyond all doubt, pecuniary aid was given; and in order to reconcile what would appear to be irreconcileable,—the respective views of the two parties as to the English troops in France, it was ingeniously suggested, that Charles's opposers in parliament might make use of his recalling them, by imputing it to a design of arming these troops to destroy the liberties of Britain!

* Jan. 18. 1678, p. 59.
† Laurence Hyde's Treaty. Life of Temple, i. 508.; ii. 463.
‡ July 15. 1677, Dalr. i. 182. § Nov. 13. p. 183.

Thus, at the re-assembling of parliament in January 1678, the politics of those enemies of Danby, who had imputed to him a leaning towards France, were really more French than those of the court. They, who had been declaiming against Louis, and urging their king to a war with France, were now "to work underhand to hinder an augmentation of the sum which has been offered for carrying on the war;" they promised to cause to be added to the offer of a million sterling, "such disagreeable conditions to the king of England, as they hoped would rather make him wish *to re-unite himself with France* than to consent to them." * And this re-union, lord Russell, lord Shaftesbury, lord Holles, and their friends, were to encourage by all means in their power; Louis co-operating with them in bringing about a dissolution of parliament. Lord Russell at this time announced to the representative of France, his intention of "supporting the affair against the treasurer." †

The fruits of these intrigues, not less disgraceful than those which have stamped eternal infamy upon Charles, were soon apparent in the parliamentary proceedings. When the houses met on the 28th of January ‡, Charles apprised them that he had made an alliance with Holland, for the protection of Flanders, that fair means having failed, he would endeavour to procure peace by force. He required the continuance of the wine and other duties, and supplies sufficient for putting ninety ships into commission, and for raising 30,000 or 40,000 men. The supplies to be granted for these purposes might be "appropriated as strictly as they could desire." § I know not whether this speech was drawn or advised by Danby, but there was nothing in it which he might not have penned, in perfect consistency with

* Dalr. p. 185., from Barillon's memorial of March 14. 1678, repeating a conversation with lord Russell. In this same conversation, Russell said, "He should be very sorry to have any commerce with persons capable of being gained *by money*."

† P. 186.

‡ 1677-8. Parl. Hist. 896. There had been only an adjournment.

§ Parl. Hist. 896.

his English politics. The thanks which the commons returned, for information which ought to have been acceptable to them, were cold and reserved.

The commons answered this speech by an address, in which they recommended a recurrence to the terms of the Pyrenean treaty *; a step which gave some colour to a suspicion, entertained by Danby himself † amongst others, that the Spaniards had their share in the corruption of the house of commons; but I rather suspect that the motion came from the French party, with the view of criminating the minister, who had proposed terms which fell very short of these.

The king answered the address very angrily ‡: his objection, that it came from one house only, was not valid, according to the usage of parliament; but he was quite justified in telling the house, "that the old promises were put to new conditions;" and in urging that "nothing could delay or disappoint new treaties, more than the failing of the house to support those which he had made." This message produced some effect.§ The house did proceed to vote ships and men "for the support of the present alliance, made with the States-general of the United Provinces, for the preservation of the Spanish Netherlands, and lessening the power of France."|| They went on with the ways and means (a tax on new buildings, and a poll tax), and voted to raise 1,000,000*l.* "for enabling his majesty to enter into an actual war with the French king." ¶

Notwithstanding that the king now actually sent troops to Flanders **, the commons were still distrustful, with reason, of the king; and their jealousy included not only the duke, but the treasurer, who began about this time to hear of intended attacks.†† They addressed

* Parl. Hist. 907. † See his letter of March 4., *post.*
‡ Feb. 4., p. 907. § Reresby, 56.
|| Feb. 5. Parl. Hist. 924. ¶ P. 940. ** Reresby, 58
†† "March 10. His highness told me, he was informed of a design in the house of commons to fall upon him and my lord treasurer, and desired me to oppose it. My lord treasurer assured me of the same thing, and that it was to be done that very day. That among other articles they

the king to declare war against France, and to recall his ambassadors from Nimeguen.* Hitherto, notwithstanding the king's rebuke, the commons had acted independently of the lords, but they now sent lord Russell to desire their concurrence.†

The lords modified this warlike address: they would have left the time of the declaration to the king's discretion, and permitted the ambassadors to remain at Nimeguen. The commons rejected these amendments: the war, they said, grew necessarily out of the treaty with Holland, and they characterised as an imputation to be avoided, what was, in truth, the real purport of that treaty,— that it was to bring about a peace. But their most prominent reason was, that if war were not declared immediately, the forces to be raised would remain at home, "to the great danger and destruction of laws, liberties, and property." ‡

On the avowed ground of avoiding controversy, the lords made no direct reply to these reasons; but dwelt upon the incomplete state of the alliance for carrying on the war, which required the co-operation of the emperor and Spain, as well as Holland.§ These reasons, however, were not communicated to the commons, who put the matter aside, by addressing the king for a short recess.‖ He complied, and it lasted till the 29th of April.¶

laid to his charge a treaty between the king and the prince of Orange, but that, in reality, there was no such treaty, and had it been, he did not think it had been disadvantageous to England. Another of his crimes, he said, would be the advising the king to make a peace, which he never did, though it was not impossible that such a design there might be; but that if so it were, it proceeded from nothing but the king's own judgment, who was that way very much bent, if lawful it were so to say." — Reresby, p. 60.

* March 15. 1678, p. 955. † Parl. Hist. p. 956.

‡ Com. Journ. ix. 460. Lords', xiii. 192.

§ March 27., p. 196. ‖ March 26., Journ. 461.

¶ The first adjournment was from March 20. to April 11., and renewed on the 15th, upon a communication from the crown, "that the Dutch ambassador had not at present full instructions, and that the affairs concerning the alliances were not yet so ripe or fit to be imparted to both houses of parliament, as it was expected they might have been upon the last adjournment." (Journ. 464.) The message is fuller in Lords' Journ. 204.

While these discussions occupied the two houses, the votes of supply had been obtained with difficulty, and the ways and means proceeded slowly.

Yet the commons, after listening to a sermon on the anniversary of the 30th of January, acquiesced in a resolution proposed by lord O'Brien (whose son had married Danby's daughter,) "to consider the manner of a more decent and solemn interment of his late majesty king Charles I., of ever-blessed memory;" and for this purpose, and the erection of a monument to the unfortunate prince, provision was to be made by a monthly tax.* But this ebullition of posthumous loyalty to the father was not followed by any active instance of devotion to the son.

The duke of York, in his correspondence with his son-in-law, expressed his concurrence in the prince's opinion, that "in the temper of the house of commons they must have a war †;" and complained bitterly of their backwardness in providing the means. The opposition managed their plans with judgment and plausibility. their objection to trusting Charles with money, or relying upon his word alone for the sufficiency of the alliances, were not unreasonable. Yet Charles, and much more Danby, had reason to deem the government ill used, in being goaded on to certain measures, and deserted when they were ripe for execution. The popular leaders did not venture to oppose the warlike votes, or the grant of money; they were aware that "this would be a means of drawing upon themselves the hatred of the people, and the reproach of all that might hereafter happen;" but they avowed that the house had added to "the act" (for granting money) clauses *so contrary to the privileges and authority of his majesty* ‡, that they hoped, that neither the prince

* Journ. ix. 428, 9.

† Letters, Dec. 24. 1677, to March 1678. Dalr. i. 193—206.

‡ I do not know any thing to which this refers except the specification, that the million was granted to the king "to enable him to enter into an actual war with France." (Parl. Hist. 943) If this was the condition, I cannot think it justly said, that "the avidity for money, and the desire of having troops on foot, which they thought they might dispose of, had

nor his majesty would have consented to them."* The French ambassador and his English coadjutors, — the gentlemen to whom the blind courtesy of whig writers gives the name of *patriots*, — were fairly taken in!

Barillon unquestionably made the most of what he heard from the members of opposition; and it is perhaps to be believed, that he somewhat exaggerated the language of Buckingham and Shaftesbury, still more that of Russell and Holles, when he represents them as suggesting, that, in order to prevent the carrying on the war with greater facility, and the supplies of men and money for Flanders being great, nothing would be more proper than "to press the declaration of war, and oblige his Britannic majesty to determine before measures are taken to support it."† Not impossibly this traitorous suggestion came from the two profligate and reckless peers; and Russell, who, though weak, imprudent, and factious, was a good man, and loved his country, and Holles who was remarkable for his reserve, had the more meritorious part in these dangerous intrigues, which consisted in the ascertainment of Louis's unwillingness to co-operate in the subjection of England.‡

If it is difficult to determine whether Barillon represented correctly the conduct and views of the opposition leaders, it is easy to see that he misunderstood the minister. If Danby now "let himself be driven with the torrent §," it is certain, that while it threatened France, it flowed in the course into which he would himself have directed it. The politics of Danby were, in truth, at this moment, honest and straightforward; much more so than those of king or commons. He had certain objects in foreign policy,— being those which his master professed to have, in common with the prince of Orange, and he was ready to pursue them by

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made the ministers pass the act *without any consideration for the true interests of his Britannic majesty.*" Danby thought, that those interests lay in a war with France.

* Barillon to Louis, March 24. 1678. Dalr. i. 187.

† Barillon, April 11. Dalr. p. 189. ‡ Ib. § P. 188.

treaty or by war. Had the two other parties been equally sincere, the accomplishment of the objects would have been simple and easy; but the king only took them up with the view of making a better personal bargain with France; the opposition leaders approved of them more sincerely, but were ready to sacrifice them to their personal ambition. A mutual distrust, at home and abroad, was the necessary consequence.

No wonder then that Danby soon dropped the sanguine tone in which, in December and January, he had continued to write to the prince.* "His majesty," he writes on the 8th of February† by Godophin, "finds such great discouragements both from the dilatory proceedings of the parliament and the untoward actings of the Spaniard with him, he is in hopes of little good but by a peace, and I must confess our appearances promise little good by a war." He mentions a probability that Charlemont may be offered to France by the king, instead of Tournay; but assures the prince that no concession shall be made without his sanction. "For my own part, I know not what either to wish or advise in this case: on the one hand the nation expecting a war from us, and yet on the other move so slowly towards one, that at best we cannot expect to have any considerable force in readiness before May, and not certain how long that shall be supported." ‡

The English minister here expresses, apparently by the command of his royal master, his distrust of the house of commons, and of the court of Spain; but he had misgivings, which he was obliged to convey in a private communication. On the very next day, he writes a confidential letter §, with his apprehensions that France will agree to the proposal of Charlemont, but that a peace made upon that condition would be very fatal to the interests of England, and of the prince.

* P. 170. 174. † P. 97.

‡ Dalr. i. 210. This historian observes upon the omission of this letter in Danby's collection. It appears to have been written under Charles's direction; and perhaps was not considered by Danby as one of the instances of unreserved communication. See the next.

§ Feb. 9. Danby Letters, p. 197.

He mentions the vote of men and ships: "I am confident they will not stop there, in case his majesty will go freely into the war, which yet they all doubt, and not without cause." He urges the prince, upon the consideration mentioned, "and more which he must not say," not to consent to any alteration in lord Feversham's propositions. He begs that this letter may be burned.* From William's answer †, equally confidential, it appears that he was as much hampered by the States of Holland, as Charles by his parliament. They were willing to have peace upon lower terms.

The prince was grateful to Danby for his frankness, and followed his advice in counselling Charles to adhere to the original proposals.‡ But the probability of a cordial co-operation in the war was daily diminished. "I must needs say," writes Danby in his next letter §, referring to the posture of affairs in Flanders, "that the ill conduct of the Spaniards, both there and here, has contributed full as much to it as the good conduct of the French. They have not only been the cause why succours have not been sooner sent from hence ‖, but I am sure, their negotiations here amongst the parliament men have been a very great cause of the slow proceedings to give supplies for the necessary preparation for a war; and there is not yet one act in readiness for any money." He mentions also that Spain

* I think that the continuator of Mackintosh (vii. 181.) goes too far, when he describes these two letters, as one "advising the compromise," and the other urging the prince against it. The first was very indecisive, and placed the question in the prince's hands. This writer considers the second letter as an act of treachery: this is too hard a word. He admits, however, that is in a mitigated form as compared with that of the whigs; and assuredly there is this material distinction:—Danby, by the advice he gave, or the allusion to the king's unsteadiness, served no private end: he supported, by means which I cannot defend, though the habits of the times may palliate them, the policy which his master had announced as his own. It is possible that Danby did not refer to the king's unsteadiness or venality, but to the "discouragements he was under, to think how he should be supported in a war, when he was voted into it by a small majority." Danby to Hyde, Feb. 8 Clar. Cor. i. 5.

† Feb. 25., p. 205.

‡ This appears from the letter of the 25th Feb., p. 205.

§ Mar. 4., p. 210.

‖ He probably refers to the not giving possession of Ostend to the English, as a place of disembarkation.

was ready to concede Tournay. "This, together with what the pensioner has said to Mr. Hyde, and his majesty's unprepared condition to give any present considerable assistance to your highness, did move his majesty to agree to the leaving Tournay and Valenciennes, in case your highness and the Spaniard should desire the peace on those terms."

The prince at last gave way, and expressed* his readiness to agree to give up Valenciennes and Tournay, without disguising his opinion of the "ill consequences that would in all probability arise" from so "destructive a peace."

About this time † Montagu warned Danby, whom he continued to flatter as "a man of no party nor faction ‡," of the projects of the duke of Buckingham, who had been readmitted to the presence of Charles. But Charles had also renewed, or now proposed to renew, his intrigues with Louis; and on the 25th of March, while parliament was adjourned §, ordered Danby to write to Montagu, communicating the new terms of peace, to which England, as well as the prince of Orange, was ready to consent. These terms, it was said, Charles would not formally propose, until regularly authorised by the confederates; but Montagu was authorised to propose them privately to Louis, with an assurance that, if he consented, the king of England would answer for Spain and Holland.

Montagu, however, was to conceal from the secretary of state, with whom he corresponded officially, the extent of this engagement; giving him only to understand, that he had felt the pulse of the king of France. "*In case,*" Danby continued, "*the conditions of peace shall be accepted* ||, the king expects to have six millions of livres a year, for three years from the time that this agreement shall be signed be-

* March 27. N. S. † March 12., p. 67.
‡ Ib. § See p. 272. *antè.*
|| It is to be observed that in this, as in all the letters from Danby concerning money, there is no condition but the terms of *peace.*

tween his majesty and the king of France, because it will probably be two or three years before the parliament will be in a humour to give him any supplies after the making of any peace with France, and the ambassador here has always agreed for that sum, but not for so long a time. If you find the peace will not be accepted, you are not to mention the money at all; and all possible care must be taken to have this whole negotiation as private as possible, from fear of giving offence at home, where, for the most part, we hear in ten days after of anything that is communicated to the French ministers. I must again repeat to you, that whatever you write on these subjects to the secretary (to whom you must not mention a syllable of the money), you must say only as a thing you believe they will consent to, if you had power formally to make those propositions. Pray inform yourself to the bottom of what is to be expected from France, and assure them, that you believe this will be the last time that you shall receive any propositions of a peace if they be rejected, as indeed, I believe, it will; so that you may take your own measures as well as the king's upon it." Danby took care to have it certified, that this important, and to him fatal, communication was written by the special direction of the king, — "This letter is writ by my order, C. R."

The king of France, confiding probably in the unwillingness of the English parliament to support a war against him, however warmly they might address for it, insisted upon Iprès and Condé, and would not agree to the terms proposed: Montagu, therefore, "made no mention at all of the money," to which, however, Louis, who had probably a hint from Barillon, appeared to allude, in saying that "he would send such orders to Barillon about Iprès and Condé, and other affairs, as he had no doubt would satisfy the king."* And it appears to have been Montagu's expectation that if, in the

* Montagu, April 11., p. 81.

words of Louis, when he was represented as desirous of peace, keeping Iprès, "the high treasurer would let Barillon alone *, the English ambassador, as well as his master, would partake of French gratitude.

Parliament now again met, and the counsels of the court were all for war. Danby employed Temple to draw the opening speech †, but upon the news of a more pacific inclination in the States, another was substituted. This contained a fair narrative of what had passed, as well between Charles and his parliament, as between England and France. It was a communication apparently unexceptionable, but was not at all successful.

Instead of attending to the matter of the speech, the house began with angry votes about religion; but they resolved ‡, that the league with the States was not consistent with their addresses, and they desired the king to make offensive alliances with the emperor and Spain, and the States-general, and all other princes who would agree to them, and to prohibit all commerce with France The king returned an angry answer §; whereupon the house addressed against the counsellors who advised that answer, and one returned to their former address ||; and also for the removal of the duke of Lauderdale.¶ Possibly they had by this time found out, or had been apprised by the French minister, that Danby was not the enemy of English interests. These proceedings, not unnaturally, put the king "in a rage;" the unwillingness with which, persuaded by Danby and Temple, he had resolved to unite with his people against France, broke out in reproaches against the latter for his "popular notions," and for inducing him to a hopeless reliance upon the house of commons.** He immedi-

* Letter of April 17., p. 84.
† April 29. 1678. Temple, ii. 445.
‡ May 4. 1678. Parl. Hist. iv. 968. Carried by 166 to 150.
§ May 6., p. 970. || Jan. 21. See *anté*, p. 271.
¶ May 7., by 137 to 92. (ib.) The address itself was carried only by two, 176 to 174. — p. 970.
** Temple, ii. 446. Lingard, xiii. 50. 53.

ately prorogued parliament for ten days*, and renewed his negotiations with Louis.† He soon concluded a secret treaty, engaging to withdraw his forces from the Continent, if the Dutch should not within two months accept Louis's terms. He was to disband all the newly-raised troops, except 6,000 men, to be reserved for Ostend and for Scotland.‡

These disgraceful stipulations did not form part of the treaty. But Danby was now a party to the whole arrangement. He attempted, however, to draw the affair into length, and to put off a conclusion §; and he obtained the king's leave to employ Temple in the negotiation, whom he knew to be unfavourable to all such proceedings. Temple ‖ pretended to be sick, and would have no concern in the matter: but the duke of York recommended peace¶, and the bargain was completed.

When the parliament met after the prorogation**, the king, after reproaching the commons for their conduct in the former session, spoke thus of the state of affairs: — "Since I asked your advice, the conjunctures abroad, and our distempers (which influenced them so much), have driven things violently on towards a peace. . . . . . I am resolved, as far as I am able, to save Flanders, either by a war, or a peace, which way soever I shall find most conducing towards it, and that must be judged by circumstances, as they play from abroad. For my

* Mr. Secretary Williamson announced this prorogation to the *chargé d'affaires* at the Hague, with great lamentations on the untoward behaviour of the commons, and its effect upon the Dutch plenipotentiaries, who fairly said that they could not advise the States to confide in a people so uncertain. The prorogation was ostensibly for the purpose of obtaining a decision from the States. — Letters of May 7. and 17. 1678, in the State-Paper Office.

† Dalrymple, i. 212.

‡ It would seem that Charles had by this time become so familiarised to the receipt of money from France, that he cared not who knew it. He desired Temple to negotiate with Barillon on this occasion, who declined, or rather evaded the commission, requesting Danby to represent "how much he was unsatisfied to be put upon a treaty that belonged not at all to his post, and which they knew that he thought dishonourable to the king;" he proposed rather to resign his employments; but Danby would not take his message to the king. — Mem. ii. 448.

§ May 28. Dalrymple, i. 221.

‖ See Life of Temple, i. 514.

¶ Dalr. 222—227.

** May 23. 1678. Sixteenth session, p. 977. Lingard, xiii. 53. Reresby, 63. 222—227.

own part, I should think being armed were as necessary for peace as war." He set forth the necessity of a supply:—"I desire you will not drive me on to extremity, which must end all both for you and me, and (which is worst of all) for the nation, which we ought all to have equal care of; therefore, I desire we may prevent any disorders or mischiefs that may befall them by our disagreement; and in case they do, I shall leave it to God Almighty to judge between us who is the occasion of it."

The speech of the lord keeper Finch contained an exposition of foreign affairs. The advances abroad towards a peace, he said, though hastened by recent events in England, had been long meditated there. The Dutch, perceiving that the Spaniards failed them in every point, resolved to lay hold of the first occasion of coming out of the war. Last year they solicited the king to obtain peace, and "would then have taken such a peace as they now seek.

The king thought that he had done great service to the Christian world, when he had settled with the Dutch the terms of a better peace, and had brought them into a league offensive and defensive, to obtain that peace by force, if it could not otherwise be had. And it then appeared probable, notwithstanding that the Dutch were inclined to the propositions made by the French at Nimeguen, that a stop would be put to the growth of the French power. But, so soon as it was heard abroad that this league had, at home, met with undeserved reflections, and they understood that a resolution was taken to give no money till satisfaction was obtained in matters of religion, "which in all countries are the longest debates that can be entered upon;" and when the king had received an address, on which he had expressed his resentment, "then all sides began to wish for peace, even Spain, as well as Holland, and, if the cessation which is endeavoured to be made upon it take effect, as in all likelihood it will, we may conclude that the peace will soon follow." He urged the necessity of being prepared

for an hostile aggression even in time of peace from the mighty king to whom, by our prohibition of trade, and other measures, "we had given no small provocation." Urging the evil of divisions, he said, — "It has been so stale a project to undermine the government by accusing it of endeavouring to introduce popery and tyranny, that a man would wonder to see it taken up again. Have we forgotten, that religion and liberty were never truly lost, till they were made a handle and pretence for sedition? Are we so ill historians as not to remember when prelacy was called popery, and monarchy tyranny; when the property of nobility and gentry was held to be destructive of liberty, and that it was a dangerous thing for one to have any sense of their duty and allegiance?" He appealed to the acts lately passed against popery, and (alluding apparently to expedients in lieu of exclusions) undertook for further measures for securing the protestant religion.

In all that related to domestic politics it was the speech of a high cavalier; but Finch really had the best of the argument, when he traced the necessity of peace to the votes of the commons, and exposed the futility of the apprehensions of popery.

It made however no impression upon the commons, who resolved* that, if the king would go to war with France, they would support him in it; if not, they would disband the army. The king urged that the army must be kept up, and paid, at least till the 27th of July, the period of the proposed cessation.† To this, the commons replied by a vote to disband all forces raised since September, except those employed on colonial service.‡ But upon a second representation from the king, the period of disbanding the forces beyond sea was enlarged, by a very small majority §, to the 27th of July, and a provision was made accordingly. Although the government carried this point, they had not a de-

* May 27. p. 983.
† Message, May 28. Ib.
‡ Page 984.
§ Pages 985, 986. 990. Journ. 491.

cided majority, being unable to resist a resolution against granting any further supplies before the recess.

On the other hand, they carried votes for discharging the 200,000*l.* borrowed in the preceding session*, and successfully resisted a vote, declaring that the proceedings of the house had not, as affirmed by the lord keeper, occasioned the peace.†

By these votes, the king and his ministers were led to over-rate their strength, and to make an application in which they were entirely unsuccessful. The king in person acquainted his parliament, that Spain and Holland had accepted the French terms, and that he was resolved to guarantee the peace; but that it was represented that, unless England and Holland joined in the charge of maintaining Flanders, even after the peace, the Spaniards could not support it. It was therefore necessary "not only to keep the navy strong at sea, but to leave the world in some assurance of our being well united at home, and thereby in as great an opinion of our conduct hereafter, as they are already of our force." He boasted of the reputation which England had obtained abroad, by "having in forty days raised an army of near 30,000 men, and prepared a navy of ninety ships, which would have been now ready at sea, if we had gone into a war." His revenue, he said, was disproportioned, not only to that of the king, his neighbour's, but even to that of the United Provinces; and proceeded thus: — "If you would see me able in any kind to influence the great conjunctures abroad, wherein the honour and safety of the nation are so much concerned, and wherein the turns are sometimes so short, as not to give me leave to call in time, either for your advice or assistances; if you would have me able but to pursue such a war as this of Algiers with honour, and, at the same time, keep such fleets about our own coasts as may give our neighbours the respect for us that has been always paid this crown; if you would have me

* See p. 248. † June 1. Journ. 486.

pass any part of my life in ease or quiet, and all the rest of it in perfect confidence and kindness with you and all succeeding parliaments, you must find a way of settling for my life, not only my revenue, and the additional duties as they were at Christmas last, but of adding to them, upon some new funds, 300,000*l*. a year; upon which I shall consent that an act may pass for appropriating 500,000*l* a year to the constant maintenance of the navy and ordnance, which I take to be the greatest safety and interest of these kingdoms."*

This bold proposition was viewed by the house as a plan for making the king independent of parliament, and for introducing a standing army. It was so ill received, as to induce secretary Williamson to acquiesce in its immediate rejection, without a division. Burnet says, that even the courtiers in parliament were against it, as tending "to make them useless;" and that it brought great unpopularity upon Danby.

I confess that I have not a sufficient knowledge of the finance of this time to be able accurately to appreciate the scheme. To make a permanent provision for the navy and ordnance, was not liable to much objection; but if the revenue, after making that appropriation, would have been such as not only to provide for the civil government and the king's household, but to leave a surplus applicable to the maintenance of an army, I must acknowledge that the attempt was alarming, and I must fairly add, audacious. This view of the speech strikes me so forcibly, that I can scarcely suspect Danby of making so false an estimate of his power as to have advised it, if the effect would have been such as I have supposed. Yet I can hardly think it possible that upon a subject of this kind even Charles II. would have acted against the opinion of the treasurer and ministers.†

This unaccountable communication from Charles to

* June 18., p. 994.

† Burnet says that Danby became from this time "the most hated minister that had ever been about the king." No doubt his enemies took advantage of this false step. See an aggravated view of it in Burnet, ii. 142.

his parliament was immediately followed by another, calculated to be more acceptable. Lord Danby brought a message to the lords *, that France would not evacuate the towns which she was to restore to Spain until Sweden should have been satisfied for her losses; that the Spaniards thereupon hesitated at accepting the terms; and the Dutch had inquired whether the English army was to be disbanded immediately, as "nobody could tell what end things might come to." When the lords communicated this message to the commons, that house, instead of taking any steps for keeping the army on foot, merely reminded the lords of the bill already before them for disbanding it. The lords enlarged the time to the 24th of August, and after a dispute about privilege, the commons concurred in that amendment †: and parliament was prorogued by the king, in a speech of more than [illegible] good-humour.‡

The commons probably took the king's message as a pretence for [illegible] the disbandment; but the king did [illegible] his plenipotentiary, sir William Temple §, to support the Dutch in their determination not to yield to the new condition imposed by France. And Temple himself tells us, that the duke of York and all the members of the foreign committee concurred in the propriety of sending him to Holland to make a treaty for carrying on a war, in case France should not consent, within a limited time, to evacuate the towns.|| And when, on the point of departure, he assured his early patron, the duke of Ormond, that the king seemed more resolved than ever he thought to see him, to pursue the measures which Temple was commissioned to forward, "I have some particular reasons," he adds, "which I cannot entertain your grace with at so great a distance, to believe that he is perfectly cured of ever

* June 20., p. 1004.
† They dropped the bill, but put a similar provision into another.
‡ July 15., p. 1005.
§ See the latter part of the instructions of June 28. 1678, in the Life of Temple, ii. 412.
|| Memoirs, ii. 453.; but see Life of Temple, ii. 3.

hoping any thing well from France, and past the danger of being cajoled by any future offers from thence."* Swift, professing to speak upon the authority of sir William Temple, tells us, that these particular reasons arose out of the disgust which Charles felt at the insolence of Louis, who had required him to stipulate, by a secret article in their money treaty, not to keep up more than 8,000 men of standing troops in England. I do not think Swift's authority sufficient to establish the fact; but Barillon† himself says, that having agreed with the king that the new levies should be disbanded, he had a struggle with Charles as to keeping up 3,000 of them, intended for service in Scotland. This must have been the foundation of the statement.

Historians differ as to the sincerity of Charles in his warlike indications.‡ And another question arises, whether the resolution of France in favour of Sweden, or the hard terms exacted by her representative in the private treaty, or a desire to obtain more money by a show of opposition, was the predominant motive. I confess myself unable to solve these questions; but I cannot for a moment doubt, but that Danby's vote in the foreign committee was cordially given for the mission of Temple; or that it was with views unfavourable to an agreement with France, that he had desired that Temple might be associated with him in the negotiation with Barillon. That he thought Charles sincere in his new counsels, I cannot doubt. He has already been seen writing confidentially to the prince of Orange, even on the caprices or uncertainties of his own master; and there is no reason to distrust him, when he tells the prince that it wholly depended upon him and the States, whether England would engage in the war.§

But the warlike intentions of June, 1678, had always a proviso, that France persisted in her refusal to evacuate the towns; and Charles is hardly treated, when he

* July 2., 1678. iv. 345. † May 28. Dalr. i. 218.
‡ See Lingard, xiii. 55. Cont. of Mack. vii. 189.
§ July 1., p. 226.

is censured for endeavouring to persuade Louis to depart from this new resolution.*

It was to compel that departure by concert with the States, that Temple went to the Hague †, and made the treaty of the 26th of July. The truth is, that the prince of Orange and Temple, desirous to continue the war, and to involve England in it, would have gladly seized hold of this new pretension of France as an excuse. But good faith and policy were better satisfied, by adhering to the terms upon which all parties had agreed.

Nor is Charles to be blamed for his endeavours to induce Sweden to dispense with the interference of France. If with this view he suffered himself to be persuaded by the Swedish agent ‡, and promised to Sweden more than it was convenient to grant §, he was wrong, but there was no inconsistency, still less disgrace, in the attempt.

Shortly after this occurrence, Temple received orders to exchange the ratifications of his treaty, and Lawrence Hyde was again sent over upon a new mission to the Dutch, whom he was instructed to assure of Charles's co-operation. Sir William Temple regarded this proceeding as contradictory to the instructions which had been brought to him by De Cros; but, if I have rightly characterised those instructions, there was no inconsistency, as the compliance of the French was still doubtful. But Hyde's mission was specially intended to counteract the insinuations propagated by De Cros || as to the private intelligence between Charles and

* Cont. of Mack. vii. 192. "He sent Sunderland to negotiate with the French court a compromise respecting Sweden; in other words, to dissolve the alliance made by Temple." It was not to dissolve that alliance, but to accomplish its purpose.

† "Your lordship knows," says Temple to Danby on the 26th of August, "when I came away, his majesty's resolution was, to have the peace if he could, upon the evacuation of the places, and in the course of this whole matter, to follow and support Holland in the paces they should make, and not to lead them." — Temple, ii.

‡ De Cros. See the Life of Temple, ii. 11. 195.

§ See Life of Temple, ii. 8.

|| Danby, Aug. 22., Letters, p. 256.

Louis, and Charles's disposition to disconnect himself from the States.* These insinuations had tended to induce the States to make an immediate peace, without reference to the allies.

Danby, at this time, wrote that "the king and his whole council were unanimous in their opinion that the king of France has not performed his offers at Nimeguen, and, consequently, that the treaty between England and Holland was in force." He gave also the same opinion to the prince †; and troops were sent to Holland to enforce it. However, the prince of Orange was tired of the wavering counsels of England; the French, in the truly disloyal spirit of their diplomacy, made use of their engagements with Charles to persuade the States into a separate peace, and in spite of Lawrence Hyde, who was sent specially to prevent it, a treaty of peace between the two powers only was signed at Nimeguen. ‡

* See, in the Life of Temple, ii. 11., an extract from De Cros' memorial, pointing at a separation between England and Holland.

† "The French have not complied with the project of Nimeguen, having *neither* made any due declaration thereof before the 11th of August, and having made new demands from Spain, which were not contained in that project." August 12., p. 232.

‡ Aug. 10. 1678. Spain signed on Sept. [illegible], then the Dutch ratified, and Spain afterwards. A previous transaction is mentioned by Dalrymple, which historians have scarcely noticed, perhaps because they found it inexplicable. It has been said that the king of England offered to guarantee to Sweden a compensation or satisfaction for her losses in the war. Lord St. Albans, English minister at Paris, was instructed to propose a subsidiary treaty between France and England, whereby the latter was to furnish 15 ships and 10,000 men, to be paid by France, and to join the French forces which were to act in favour of the Swedes. (Dalr. i. 230.) I know not what came of this proposal, or at what exact moment it was made. But Barillon says, on the 8th of August, — "Danby represented to me, that the war which England was to make in favour of the Swedes, was entirely against the sentiments of the whole nation; and therefore his master could not undertake it, without great succour from your majesty." It is not clear against whom this war in favour of Sweden was to be waged. Against the emperor, I suppose, and against Holland and Spain, if they should assist him. This indeed would be a "counterpace" to Temple's treaty, as it would imply a re-union with France in the war. All that I can make of this transaction is, that it was an attempt to keep alive Charles's claim to the money of Louis under the treaty of May, notwithstanding the warlike demonstrations which England had made. For it would appear from Barillon's despatches (if correctly abstracted by Dalrymple), that about the 18th of August Danby applied for an instalment of the subsidy, which was refused, on the reasonable ground that Charles had not fulfilled the treaty.

I shall not dwell long upon the popish plot. Danby's part in that transaction has been mystified almost as much as the rest of it: it appears to me that nothing but his own statement, and the autograph memoirs of the duke of York, can be cited as authority in elucidating the treasurer's conduct. He was the first of the ministers to whom Charles communicated the papers furnished by Kirby; and was of opinion that Grove and Pickering, the two persons accused of the design to assassinate the king, should be apprehended, and the matter referred to the privy council. However unworthy of credit the story was, — and, although it was now very vague, it was not yet full of the contradictions and absurdities which it soon acquired, — Danby was right, as well in proposing to examine persons to whom high treason had been imputed, as in wishing that other ministers should be informed of the accusation.

But Charles enjoined silence, especially towards his brother. He may perhaps have acted from carelessness only, or he may have felt too conscious of his own plots against the protestant religion, to wish for an investigation of the proceedings of the papists. He gave the consent, which he could hardly withhold, to the arrrest of certain persons, who, according to fresh information received by Danby from the same quarter, were to come to Windsor on a particular day, with a murderous intent; yet, when an excuse was made for postponing that scheme, he was more than ever convinced that the whole was a mere fiction, and positively forbade Danby to communicate with any other person upon it: — "He would alarm all England, and put thoughts of killing him into people's heads who had no such thoughts before." Soon afterwards, some papers of a similar import with those that had been produced by Kirby and Tonge, were brought to the duke of York by one Bedingfield, a priest; and as the king did not resist the desire of his brother, that these might be laid before the council, Danby now got leave to communi-

cate to his colleagues the information previously received.*

From this time the investigation proceeded regularly: Coleman, secretary to the duke or the duchess of York, being named by some of the witnesses, was committed, and his papers seized. Danby claims the merit of causing these papers to be secured.* It has been said, but upon no sufficient authority, that the king, supported, not only by James, but by Lauderdale, was now anxious to bring the whole inquiry to a termination, and that Danby desired to protract it till the meeting of parliament, where it would probably be taken up by the opposition, and divert their attention from the proceedings which the treasurer, I know not why, is said to have expected to be instituted against himself. With this view, he is supposed to have encouraged Charles to go as usual to Newmarket in October, and to have neglected the royal injunction to prosecute the investigation without delay.†

Assuredly, I cannot say positively that Danby had no motive of this kind; but there is no proof that he had, nor any fact in evidence from which it can be reasonably inferred. There is no ground, in the first place, for believing that he protracted the investigation. I think it is not at all improbable, that he wished to have the plot before parliament. He was unquestionably of the no-popery party, an anti-gallican, and no friend to the duke of York; and he may have expected to weaken the opposite interest by this supposed discovery of treasonable projects among the papists. Nor is it at all improbable that he himself so far gave credit to the tales of Titus Oates, as to attribute such projects to the Romanists.

On this, as on other occasions, if Danby took the mea-

* This is Danby's account. (Memoirs, pp. 30. 37.) The first examination before the council, was on the 28th of Sept. 1678, after Oats had made his deposition before sir Edmundbury Godfrey. Council Reg. See Lingard, xiii. 69.

† Lingard, p. 79.; on the sole authority, I believe, of the compiler of James's Memoirs.

sures with the view to the conciliation of the commons, he was neither hypocritical nor inconsistent; nor would he be much to be blamed, though it were true, which is merely surmised, that the reviving favour of the duke of Buckingham, disposed him to rely less upon the king and more upon the people. But, whatever may have been his immediate motives, he attempted in vain to keep the investigation in his own hands. It soon became a powerful engine in the hands of his opponents, and was turned against the minister himself.*

In October, the two houses met.† Danby himself says, that Charles never showed so much displeasure towards him, as for bringing Titus Oates's information before parliament. "He would find," the king told him, "that he had given the parliament a handle to ruin him, as well as to disturb all his affairs, and that he would live to repent it." "And indeed," adds Danby, writing thirty years afterwards, "I have seen many villanous designs acted under the cover of the popish plot;" and of another matter, to which I shall hereafter refer, "that I have repented both, since I have seen such very wrong uses made of them."‡ I cannot ascertain what the precise step was, which Danby took in opposition to the opinion of Charles. The king's speech referred to the plot in few words, and did not invite an investigation.§ Both houses called, without delay, for information concerning the plot, which had by this time seized upon the imaginations of the whole people. Surely no instigation from Danby was required to produce the call for papers, nor would it have

* See Roger North's remark on Danby,—"thinking to work with a plot designed for the ruin of himself."—Examen, p. 121

† Seventeenth session, Oct. 21. 1678. Parl. Hist. iv. 1017.

‡ Introduction to Letters, p. 11.

§ "I now intend to acquaint you, (as I shall always do with any thing that concerns me) that I have been informed of a design against my person by the Jesuits, of which I shall forbear any opinion, lest I may seem to say too much or too little; but I will leave the matter to the law, and in the meantime will take as much care as I can to prevent all manner of practices by that sort of men, and of others too, who have been tampering in a high degree with foreigners, and contriving how to introduce popery among us."—Oct. 21. 1678. Parl. Hist. iv. 1017.

been possible to withhold Oates's narrative. However, it is clear from Danby's admission, that he promoted the parliamentary inquiry into the plot. And it is equally clear, that the popular leaders took it into their own hands, and pursued it with blind fury.

During this time, Charles and his parliament went on very ill together. Lord Russell moved to address the king to remove the duke of York from his councils* ; and though this motion (which was supported by secretary Williamson) was suffered to drop, it drove the king to propose that restrictions should be put upon a popish successor.† A bill passed both houses, from which Charles dared not withhold his consent, for excluding papists from parliament.‡ The house of commons also addressed the king to remove his queen from the court§; and a bill was passed, of which the effect was to take the militia out of the hands of the crown. This, however, Charles would not permit, "not even," as he said, "for half-an-hour." ||

If it was by the advice of Danby that the catholic test bill was passed, and the militia bill rejected, his counsels were perfectly consistent with his principles, as a protestant, and a tory. It is probable that he convinced Charles of the necessity of giving way to the national dread of popery. "The lord treasurer," says sir John Reresby, "had called several of us together, to consult us about an act to lessen the popish interest in this kingdom; when his lordship told us, the king was willing something to be enacted, to pare, (as his expression was) the nails of a popish successor; but that he would never suffer his brother to be taken away from him, or the right line of the crown to be interrupted; and to the same effect the king spoke to the two houses the next day."¶ It would appear from the same authority**, that Danby under-rated the effect which the

* Parl. Hist. p. 1026. † P. 1035.
‡ The Duke of York obtained, in the house of lords, a proviso in his favour.— P. 1039.
§ P. 1050. || P. 1052.
¶ Reresby, p. 70. King's Speech, Nov. 9. Parl. Hist. 1035.
** P. 71.

popish plot had upon the house of lords, and that he did not expect the bill for incapacitating the catholics to pass through that house. But, although they passed this bill, the lords, on this, as on numerous occasions in all times, honourably distinguished themselves for temper and justice from the commons, by refusing to join the lower house in their address against queen Catherine.

Some votes against private counsels also passed the commons*, which were supposed to be particularly levelled against Danby; and Titus Oates was brought to prove that he had not an orthodox respect for him and his story.†

But the treachery of a friend now put into the hands of Danby's enemies the means of effecting his ruin. I have already noticed ‡ the correspondence which took place in March, 1678, between Danby and Ralph Montagu, in which the treasurer became, reluctantly, and by the special order of the king, concerned in negotiating for money from France. Montagu was at the same time soliciting Danby's interest towards procuring him the office of secretary of state §, and took mortal offence at Danby's avowed preference of his old friend, sir William Temple. After a fruitless attempt to engage in his treacherous attempt the duchess of Cleveland, (who writes of him as "an abominable man ‖,") he came over from Paris without leave, obtained a seat in parliament for Northampton, where Temple was again his rival ¶, and commenced a skilful attack upon the minister.

He prepared his way by an intrigue with Barillon, to whom he opened his grievances, and boasted that it

* Reresby, p. 73. Parl. Hist. 1052. Journ 551. "That a representation be made to his majesty of the dangers that have and may arise from private advices, contrary to the advice of parliament."

† He was reported to have said, on seeing Oates, "There goes one of the saviours of England, but I hope to see him hanged within a month."

‡ See p. 277. antè.

§ His letters, in Danby, March 29. April 11., June 4., pp. 76. 83. 88.

‖ Harris's Charles II., v. 372.

¶ I find no notice of this in Temple's Memoirs, but it appears from the Journal, ix. 537.

was in his power to ruin the treasurer; and that he would accuse him of treason, if assured of the protection of Louis: and he specifically demanded, if Barillon be believed, a gratuity of 100,000 crowns, if he should succeed in ruining the minister. A fund of 100,000 livres was also to be furnished, to bribe members of parliament. In recommending this villainous scheme to the notice of his master, the Frenchman says, "As your majesty has commanded me to do every thing that is possible to occasion troubles to the king of England, it does not appear to me that any thing could possibly happen more disagreeable to him, than to see the man accused in parliament, in whom he has reposed the care of affairs and the government of the kingdom for two years. The treasurer's enemies, who are very numerous, will take courage, and it is not impossible that the duke of York may abandon him, and turn against him."*

The duke certainly was not well pleased with Danby, but I know not in what degree he acted hostilely towards him. Sir William Temple enumerates, among Danby's enemies, the duchess of Portsmouth, the duke of Monmouth, Shaftesbury, and Essex. Danby's English politics might sufficiently account for the hostility of the French lady, and it appears that the treasurer had obstructed her pension from France.† The others hated him, as the most efficient man in office.

Danby was now warned of Montagu's intentions ‡, but could not believe that the man who had counselled him to take French money, and who had professed unaltered devotion to him §, would venture to impeach him; and he endeavoured to turn the tables against his intended accuser. He had heard through sir William Temple from M. Olivencranz, the Swedish minister at the Hague, of certain designs hostile to the protestant religion, plotted between Montagu and the pope's nuncio at Paris ||; and upon this slender ground,

* Barillon, Oct. 24. 1678. Dalr. i. 249.

† Danby Letters, p. 288.

‡ Reresby, 71. Danby Letters, 266.

§ July 1., p. 90.

|| "I showed it (a letter from Temple, Nov. 5. 1678) immediately to his majesty, who is thereby made very desirous of getting all [illegible] information

Danby ventured to take a step which accelerated his own ruin. He caused the papers of Montagu to be seized by royal authority, and acquainted the house of commons, in a message from the king, that such was the cause of the seizure.* The unprincipled Montagu was now closely allied with the opposition leaders, some of whom moved, and instantly carried, a vote, perfectly regular, for asking the king whether the information was upon oath. The person of Montagu was not attached; indeed, he was in the house of commons when the king's message came down, and after being a silent listener for a considerable time, he stated his belief that his papers were seized in order to get possession of "some letters of consequence, that he had to produce, of the designs of a great minister of state." † If this were Danby's object in the extraordinary, and, I must admit, unjustifiable seizure of papers, it signally failed. Lord Russell, and other leaders, now avowed that Montagu had apprised them of the purport of Danby's letters, and several members were sent for a box which Montagu pointed out ‡, and of which the king's messengers

he can possibly, of what is yet but darkly hinted by M. Olivencranz. You say he read to you a list of several persons designed for great offices, &c. .. But it is not plain, whether that was a list he had lately from England, or some other list he knows of, because he said he was sure the design was not only against his majesty and kingdom, but against all other protestant princes and states; and the designs of the papists against the protestant religion in England had been long a brewing. As for what concerns Mr. Montagu, I perceive his majesty knows nothing of his conferences with the pope's nuncio; and for what M. Olivencranz supposes might have been the occasion of these conferences, viz. a treaty of marriage between the king of Spain and the duke of Orleans's daughter, his majesty says, that he never entered into any such treaty, nor ever gave Mr. Montagu any instructions about it."—Danby to Temple, Nov. 22, 1678. Danby, 266.

* "His majesty having received information that his late ambassador in France, Mr. Montagu, a member of this house, had held several private conferences with the pope's nuncio there, has, to the end that he may discover the truth of the matters, given orders for the seizing of Mr. Montagu's papers." — Dec. 19. 1678, ix. 559.

† Parl. Hist. 1058. Burnet, ii. 175.

‡ "Mr. Montagu acquainting the house that he had in his custody several papers which he conceived might tend very much to the safety of his majesty's person and the preservation of the kingdom, Ordered, that the lord Russell, &c. do take Mr. Montagu's directions, and repair immediately to the place where the said writings are lodged, and bring the same to the house." — Journ. 559.

had seized the key, without opening the box. This, however, the house did; and Montagu, being permitted to select such papers as he thought fit, leaving the rest untouched, drew forth Danby's letters of January 16. and March 25. 1678, — the latter being the ill-fated letter about French money. On the very same day, the house resolved, by 179 to 116, to impeach the treasurer.*

After the impeachment had been voted, Danby sent to the speaker two of Montagu's letters†, explaining the intrigues of the king of France with William Russell and other leaders of the opposition. The house heard the letters, but took no further notice of them. The king too, in answer to the call for the grounds of the arrest, sent several letters to the house ‡; these also the commons disregarded.

Lord Cavendish and Mr. Williams were the managers principally concerned in preparing articles of impeachment, which were substantially as follows: — 1. "That he had traitorously§ encroached to himself regal power, by treating with foreign powers, and instructing ambassadors, without communication with the secretaries of state, or council;" — this clause was directed against the Montagu correspondence, but it is not easy to explain what follows, — "against the express declaration of his majesty and his parliament; thereby intending to defeat and overthrow the provision that has been deliberately made by his majesty, and his parliament, for the safety and preservation of his majesty's kingdom and dominions."||

2. That he endeavoured to introduce an arbitrary and tyrannical way of government; and designed the raising of an army, upon pretence of a war with the French king, and to continue it as a standing army

* P. 1069. The solicitor-general, Winnington, spoke for the impeachment.

† Jan. 11. and 18. 1678, noticed in pp. 265. 269.

‡ Journ. 560. These papers were destroyed, I believe, in the fire of 1834.

§ A motion to leave out the word "traitorously" was rejected, 179 to 141.

|| On reading this article a second time, a motion for recommitting the articles was negatived, 179 to 137.

within the kingdom; and that he misemployed the money which was granted for disbanding the army, and took no security from the paymaster.

3. That to hinder the meeting of parliaments, and thereby to alter the constitution of the government, he negotiated a peace with the French king upon disadvantageous terms, for doing whereof, he endeavoured to obtain large sums of money from the French king, to enable him to carry on such traitorous designs.

"4. That he is popishly affected; and hath traitorously concealed (after he had notice) the late horrid and bloody plot and conspiracy, contrived by the papists against his majesty's person and government; and hath suppressed the evidence, and reproachfully discountenanced the king's witnesses in the discovery of it, in favour of popery, immediately tending to the destruction of the king's sacred person, and the subversion of the protestant religion."

5. That he had wasted the king's treasure in unnecessary pensions and secret service, to the amount of 231,602*l.* in two years, and had diverted one branch of the revenue from the exchequer to private uses, and removed two commissioners who refused to concur therein.

6. That he had obtained divers considerable grants of the ancient revenue of the crown to himself.

To a contemporary, ignorant of the secret history of this time, the indignation of the house would appear natural; to us, it is disgusting. The principal speakers against the minister, Bennett, Titus, Harbord, and Powle, were themselves in the pay of France, and lord Russell was at least conusant of this fact. The shameless treachery of Montagu himself requires no comment *; and the association with him reflects no credit upon the leaders of opposition.

So soon as the articles were read in the house of lords, lord Danby made a hasty speech†, not only with

* See Lingard, xiii. 120.
† Parl. Hist. 1069. State Trials, xi. 627.

the confident profession, but in the tone of innocence. But his remarks were cursory and incomplete, and cannot fairly be taken as his whole defence. The charge of assuming regal power, he confessed he did not understand. To that which concerned a standing army*, he answered, that a treasurer must be a fool to create so great a charge. "The third charge," he said, (the negotiation with France) "is of the same nature with the first, and comes from the same foundation, which is what a gentleman has thought fit to produce to the house of commons. I will not now censure his action; I think it will do enough for itself. I can only say, that though I take it for one of the greatest misfortunes that can befall a man, to lie under such a charge of the house of commons, yet I would much sooner choose to be under that unhappiness, than under his (Mr. Montagu's) circumstances."

He spoke in just terms of the absurdity of accusing him, the favoured of the crown, of countenancing a plot for the destruction of the king: so far from concealing the plot, it was notorious that the king sent him the first notice of it, and that, in the opinion of his majesty, "it would have been much better, and more would have been discovered, if it had been longer kept private." And he boasted of the seizure of Coleman's papers.

Of the silly charge of being popishly affected, he spoke contemptuously; "and I hope," he added, "your lordships will forgive my weakness, in telling you that I have a younger son† in the house of commons, whom I shall love the better as long as I live, for moving to have that part of the article to stand against me, that, by that pattern, it might appear by what sort of zeal the whole hath been carried to my prejudice." On the charge of wasting the king's treasure, he said, that he had known no treasure to waste, having entered upon an empty treasury, and never seen one farthing given

* As to the disbanding of the army, see a report in Comm. Journ. 609. Sir Robert Howard evidently wished to criminate Danby; but the case is not made out.

† Lord Dumblaine.

to his majesty that had not been strictly appropriated and applied. He took credit for his punctuality in the payment of the seamen*, and for the discharge of debt.

He did not deny that his service had been profitable to him, but averred that in six years he had not, as high treasurer, got half of what others had gained in inferior places.

Some parts of this defence, upon the last two articles, require detail, and may be open to criticism, but in what followed he was quite invulnerable. "Had I either been a papist or a friend to the French, I had not been now accused. For I have reason to believe that the principal informer of the house of commons hath been assisted by French advice to this accusation; and if the gentleman were as just to produce all he knows for me, as he has been malicious to show what may be liable to misconstruction against me, (or rather against the king, as indeed it is,) no man could vindicate me more than himself, under whose hand I have it to show, how great an enemy to France I am thought, how much I might have had to have been otherwise, and what he himself might have had for getting me to take it. . . . . . He knows, as will appear under his hand, that the greatest invitations to his majesty for having money from France have been made by himself†; that if his majesty would have been tempted for money, he might have sold towns for as much as if they had been his own‡, and the money have been conveyed as privately as he pleased; that his majesty might have made matches with France if he could have consented to give them towns, and yet that the king has always scorned to yield the merest village that was not agreed to by the Spaniard and Hollander. That gentleman hath often pretended how much his own interest in France was diminished, only by being thought

* The great evils which the former unpunctuality in the payment of seamen produced, may be seen in Pepys's Diary, 4to, 373., and elsewhere.

† See the letters noticed in p. 254.

‡ See Montagu's letter of Dec. 29. 1677, noticed in p. 264.

my friend. . . . . .I sent two of his letters* to the house of commons, which show how M. Ruvigni was sent here on purpose to ruin me, which, I am assured at this time, they would rather see than of any one man in England. . . . . I hope his majesty will give me leave to say in his presence †, and in the hearing of divers lords with whom I have the honour to sit in the committee of foreign affairs, that which, were it not true, his majesty must think me the impudentest and worst of men to affirm before him — that ever since I had the honour to serve his majesty, to this day, I have delivered it as my constant opinion that France was the worst interest his majesty could embrace, and that they were the nation in the world from whom I did believe he ought to apprehend the greatest danger, and who have both his person and government under the last degree of contempt; for which reason alone, were there no other, I would never advise his majesty to trust to their friendship.

Lord Danby had still so much influence among his peers, as to defeat a motion, immediately made, that he should withdraw, and another, on the 27th, for his committal. But against these decisions, some of his former colleagues, who had been much more criminal than Danby, entered their protest.‡ It must be owned, that the lords who had been committed in 1677 cannot be blamed very severely for wishing to incarcerate the minister who led the house on that occasion.

The king and his minister were probably now satisfied that it would be impossible to go on comfortably with the long parliament.§ At the end of the year, therefore,

* See Danby, 53. 61. and 102. and *ante*, p. 296.

† King Charles was in the habit of attending the debates; he frequently descended from the throne, and stood by the fire-side.

‡ Buckingham and Shaftesbury. Halifax also signed this protest, and Essex the first.

§ In this session, the commons made another attempt to place in the chamber of London the money which they voted for disbanding the army. The lords refused their content, and, in consequence of the dispute, the bill was dropped at the prorogation. See Lords' Journ. Dec. 1618, xiii. 424. 434. 443. Parl. Hist. 1053, takes no notice of the proposal or dispute.

it was prorogued, and immediately afterwards dissolved.* Another was forthwith summoned.

In meeting this new parliament†, Charles took credit for the banishment of his brother, and other anti-popish measures, and asked for a supply in the usual terms of complaint. But he commenced his dealings with the new house of commons by a proceeding which, if advised by Danby, as has been supposed, was injudicious, almost to infatuation. This was, the refusal to approve of Seymour, again elected speaker. There had been, as some say‡, a quarrel between this gentleman and the treasurer; others aver that lady Danby was the person offended.§ One republican writer says, that Danby advised the refusal, as an exercise of prerogative.|| A character that will not bend to a popular storm is, generally speaking, much to be admired; and Danby, whom Burnet describes, in his singular language, as "a positive and undertaking man," appears to me to have possessed this character. But this was an unnecessary provocation of a body of men, upon whose decision his fortune, if not his life depended; and certainly the commons were treated too cavalierly, when, in answer to a respectful remonstrance, the king said to them, "Gentlemen, all this is but loss of time; and, therefore, I command you to go back to your house, and do as I have directed you.¶ A short prorogation and a compromise** termin-

* Parl. Hist. 1074. Burnet says here: — "Danby saw little hope of recovering himself with that parliament, in which so great a majority were already so deeply engaged. So he entered into a treaty with some of the country party for a new parliament He undertook to get the duke to be sent out of the way against the time of its meeting. Lord Holles, Littleton, Boscawen, and Hampden, were spoken to. They were all so apprehensive of the continuance of that parliament, and that another set of ministers would be able to manage them as the court pleased, that they did undertake to save him if he could bring these things about. But it was understood that he must quit his post, and withdraw from affairs. Upon which they promised their assistance to carry off his impeachment with a mild censure." (ii. 181.) This story is very questionable.

† First session of second parliament, Mar. 6. 1678-9, p. 1079. Com. Jour. ix. 567. Lords' Jour. xiii. 449.

‡ Burnet, ii. 199.

§ Temple, ii. 506. || Ferguson.

¶ P. 1104. The commons again addressed respectfully. The king promised to answer on the morrow, and on that day prorogued parliament for two days.

** Seymour was not proposed again, nor was sir Thomas Meres, who had

ated this first dispute; but the house, in its second session, instantly renewed the attack upon the obnoxious minister. It was commenced by Powle, in a somewhat remarkable speech*, in which the French pensioner appeared rather too openly. That he should accuse Danby of financial mismanagement, suspension of parliaments, and arbitrary proceedings, was quite natural; but when he styled him, "the person to whom we owe the dangers and fears of the French king against us," this celebrated whig † reversed the policy which the country had pursued from the time of the Restoration; the neglect of which constituted, in truth, a part of the very impeachment which Powle now desired to renew. But in those days even the most profligate inconsistency was seldom a matter of reproach between one politician and another.

But it was found necessary that Danby should resign the staff. There are no authentic accounts of this occurrence; nor is it known whether the first suggestion came from the king, or from the treasurer. Temple says, that "the counsel of his removal had been carried on by the duke of Monmouth, in conjunction with the duchess of Portsmouth and lord Essex." The king tendered him a pardon, and was prepared to promote him in the peerage. But his enemies were not contented with driving him from office, and it was necessary to yield still further.

The commons having reminded the lords of the impeachment, with a request that Danby might be committed, the king announced, in a speech to both houses, that he came "to put an end to that business." He had given to Danby a pardon under the great seal, and if it should prove deficient would give it him ten times

been named by the court, in consequence, as Lingard suggests (p. 128.), of an understanding with the popular leaders, of whom Meres was one; but sergeant Gregory was proposed by lord Russell, in a conciliatory speech, and elected.

* There is a difference between the Parl Hist. 1115., and the State Trials, xi. 724., as to the period when this speech was delivered; but it is of no importance.

† Powle was afterwards speaker of the convention parliament, which put the crown on the head of William and Mary.

over. He never denied a pardon to any of his ministers on quitting his service, as Shaftesbury and Buckingham well knew. "Besides," he concluded, "there are great mistakes in those matters concerning him, for the letters were written by my order. And for the concealing the plot, it was impossible, for he had heard nothing of that but what he had immediately from myself. I have dismissed him from my court and councils, and not to return." *

In furtherance of this announcement, a bill was introduced into the house of lords†, by which Danby was made incapable of office, employment, or gift from the crown, and of sitting in parliament. The secret history of these transactions is not known. As Danby nowhere complains of this disabling bill; it appears probable that it was introduced with his concurrence; yet it is difficult to believe that he acquiesced in eternal exclusion, not only from office, but from the privilege of his peerage. He has himself said, that rather than suffer a bill of *attainder* to pass against him, he must have produced all the letters‡; and it thus appears probable that he consented to endure any suffering short of the attainder, rather than disregard the appeal which Charles made to his loyalty and fidelity. The pardon was offered to Danby by Charles himself. So soon as it was questioned in the house of commons, Heneage Finch§, who had succeeded Winnington as solicitor-general, declared that his father, the chancellor, had refused the great seal, because the instrument did not come to him with the usual sanction of privy seal, or signet. The chancellor confirmed this; he had remonstrated with Danby on the informality, but Danby preferred privacy to regularity, and the seal was, by the king's own order, affixed by an inferior officer.‖ When the bill was presented by lord Essex, the house ordered Danby into the custody of the black rod; but he kept out of the way,

* Mar. 22. State Trials, 725. † Lords' Journ. 470. 476.
‡ Letters, p. 111.
§ Second son of Heneage, first earl of Nottingham.
‖ On this very irregular proceeding, see State Trials, xi. 741.

and the usher reported that he could not be found. The lords were thus enabled to tell the commons that they had anticipated their request, that the accused might be committed; and on the report of the supposed absconding, they converted the bill into one of banishment.* Lord Anglesey and lord Berkeley protested against this bill in the first instance†; they were joined in a later stage by lords Northampton and Ailesbury.

The commons instantly rejected this bill, and sent up to the lords one which had been introduced when they heard of Danby's absence, for summoning him to surrender on a certain day, and attainting him in case of failure. This bill, the lords, by an amendment, converted into a bill of banishment; a few more of Danby's friends now ventured to record their dissent, — Lawarr, Arundel, Byron, Lindsey, and Hatton.

Danby had now put himself in the wrong, and the commons urged, not without reason, in reply to the lords' amendments, that, having fled from justice, he had confessed the charge of high treason; nor could they be satisfied with the lords' general reference to the prudential necessity which might sometimes exist for forbearing to act with the utmost rigour.

Ultimately the lords gave way, professing that they were ready to consent to any thing short of the destruction of the earl. The bill of attainder therefore passed on the 14th of April‡, whereby Danby was summoned to surrender on the 21st of April. Lords Ferrers, Lucas, Carnarvon, Frecheville, and Bath, were now added to the list of the protesters.

On the 16th of April, Danby surrendered. This measure surprised the court, or at least the duke, who was not prepared for the scrupulous fidelity with which the minister abstained from exonerating himself at the expense of the king.§ He was made to kneel at the bar of the house, in which he had lately held nearly the

* P. 479.

† Anglesey's reasons were, that "there was no hearing of the party, and so penal a bill ought not to be precipitated."—P. 476.

‡ Parl. Hist. 1115. 1118—21. Lords' Journ. xiii. 504, 24.

§ The duke to L. Hyde, May 2. 1679. Clar. Corr. i. 43.

highest rank, and decidedly the greatest power, and was committed to the Tower. When again brought up, he answered the charge, but pleaded his pardon.*

The house of commons showed some unwillingness to proceed at once to extremities, and requested the lords to demand of Danby whether he would rely upon his plea of pardon.† He answered, that he had put in his plea by advice of his counsel (Mr. Polexfen), and abided by it. The commons, after much debate, protested at the bar of the house of lords, with the speaker at their head‡, that the pardon was illegal and void, and therefore demanded judgment against the accused; and the lords appointed a day "for hearing the earl of Danby to make good his plea;" and they acquainted the commons that they had addressed the king to appoint a high steward for the trial of Danby, and of the other five lords in the Tower. Thus commenced a series of disputes between the two houses §, which lasted from the 7th of May to the 27th, when the king prorogued the parliament. A dissolution soon followed.

At the present day one might reasonably distrust the innocence of a man, who should rely upon a pardon previous to trial: and this, Danby himself admitted. But, in this case, the accused had no opportunity of making a full defence. "If the king" says Danby‖ "would have permitted me to produce Mr. Montagu's letters, the crime of endeavouring to get money from France (if it could be called a crime, under the circumstances aforesaid) would have been laid to Mr. Montagu's charge, and not to me; as I told the king when he offered me his pardon; but was answered by his majesty, that I owed him more duty than to expose his

* See appendix B.

† State Trials, 769.

‡ Id. 790.

§ In the course of the proceedings, the commons, by one of those tyrannous votes by which the parliaments of the seventeenth century distinguished themselves, forbade any commoner to maintain, as counsel for lord Danby, the validity of the pardon. (See State Trials, 807.; and Lords' Journ. 564.) About the same time colonel Sackville was expelled for saying that they were lying rogues that said there was a plot.—Parl. Hist. 1118.

‖ Remarks upon Montagu's letters in Danby Letters, pp. 108. 110.

and his ambassador's letters of private negotiations between him and the king of France; and he was sure I would not be guilty of such a perfidious baseness to him, as Montagu had been guilty of."

It is also to be considered, that if Danby could have had all necessary evidence for his defence, still, he could not expect a fair trial, at a time in which perjury and credulity were striving for the mastery.

Such was the termination of the first stage of Danby's ministerial career. I am afraid that it is true, as Algernon Sidney wrote at the time, that "never was man less pitied in his fall than he."*

Yet, if his conduct be compared with that of each of the persons concerned in his downfal, Danby will not suffer by the comparison. Of the ingratitude and treachery of his immediate accuser, it is unnecessary to say more. But the most consistent of his opponents were far from blameless. That they did less than justice to Danby, was, as I have already admitted, in a great measure, his own fault. They had at least a technical, perhaps a moral right, to make him responsible for measures in which he acquiesced; and it is possible that his admirable loyalty to the king may have disguised from contemporaries the sincerity of his opposition to the French policy of Charles, and his zeal against popery.† He was assuredly untainted by per-

* To B. Furley, March 23. 1679. Original Lett. of Locke, &c. 1830, p. 94.

† See on this a tory writer. "The hon. R. M., then ambassador in France, was in measures with some topping men of the faction here, among other things, to ruin the earl of Danby, and for bringing that about somewhat very extraordinary must be done. For the said earl hath founded his policy upon the protestant cavalier interest, and opposition to the French; which he carried on steadily, so far as he thought consistent with his post at court, and also with a popular interest in parliament. And that management of himself, and also a care to appear opposite to popery, had rendered him very strong. He was the first prime minister (if I may except old Clarendon, who came in with the king) that built upon that foundation, and never wrought with either fanatics or papists, but courted the loyal gentry, and perhaps too much, if the usefulness of some of them for the employment he put them in might carry that construction. It is most certain that, whether judgment or policy directed his conduct, it was so far very well chosen; and his great parts and abilities to manage in public were much set off by the advantage of so good a cause at the bottom."— North's Examen, p. 528.

sonal corruption, and although he justified in Charles the acceptance — which nevertheless, he endeavoured to prevent—of the money of the French king, yet he steadily refused it for himself, though he would have had the excuse of not being diverted from his course, and moreover the sanction of the royal example.

It is not denied that many of his opponents received French money, and that his ruin was concerted between them and the court of France.* The defence that has been made for them, is precisely that which Danby made for Charles, (he did not require it for himself,) namely, that they did nothing in consequence of this receipt of money, which they would not otherwise have done. Granting that this was so, (for I do not think it necessary to discuss the question here.) I would observe, that what they did was in itself highly blamable. It is avowed that, believing, or pretending to believe, that a war with France was good policy for England, and having granted supplies for carrying on this war, they designedly annexed conditions to the grant, which they expected the king to reject. Considering that this rejection was the particular object of Louis, whose money they had taken, it is really drawing too largely upon candour, to admit that their object was to prevent

* Letters to Louis XIV. Extract from Barillon, Dec. 14 1679: —"In the affair of the high treasurer, and the disbanding of the army, no person was more useful to your majesty than lord Holles. I have had a strict connection with Mr. Lyttleton, who is one of the most considerable in the house of commons, and whose opinions have always been the most followed. I have also kept a particular correspondence with Mr. Powle. He was put into the council when the persons who opposed the court were put there. He has so conducted himself since that time, that he will always be useful when the parliament shall meet: he is a man fit to fill one of the best posts in England; he is very eloquent, and very able. Our first correspondence came through Mr. Montague's means; but I have since kept it by my own, and very secretly. Mr. Harbord is another of those whom I have made use of, and who bore an active part in the affair of the treasurer and the disbanding of the troops, but it would be difficult to employ him at present. He has considerable credit among people in the country; he would be more fit if a minister was to be attacked, than he will be to speak in parliament against an alliance, which the court would make, and the other party hinder. These four have touched what was promised them, when the disbanding of the troops should be finished, and the high treasurer removed from affairs. Mr. Sidney has been of great use to me on many occasions. He is a man who was in the first war, and who is naturally an enemy to the court. I gave him only what your majesty permitted me; he would willingly have had more, and if a new gratification were given to him, it would be easy to engage him entirely."— Dalr. ii. 336.

the levy of an army, by which the liberties of England might be endangered.

But they went a step, and a long step, farther; they endeavoured to persuade Louis to declare war against their king. To this "awkward attempt" lord Russell was a party; his descendant quarrels with the historian Hume, for styling this conduct factious. To me it appears treasonable*: whether through faction, or through folly, I care not now to argue.

The descendant and panegyrist of lord Russell repeats, and apparently gives credit to, a statement, which surely fixes upon his hero the charge of factiousness:—"The opposition, on the other hand, sought alliances in every quarter. Lord Russell, sir Henry Capel, and others, had meetings with the duke of Monmouth, in order to concert the removal both of the duke and of the lord treasurer. They commissioned Monmouth to acquaint the king, that *they would supply him with any sum of money he might require, if he would lay aside the lord treasurer*. Overtures were also made to lord Danby by colonel Birch, who endeavoured to prevail upon him to favour Monmouth's legitimacy. Both these stories may be true." †

It is possible, and indeed probable, that lord Russell believed Danby to be too deeply engaged in the French policy, and disposed to extend the prerogative, and therefore not fit to be trusted with money. But it is scarcely possible that he could have deemed Charles more trust-worthy than his minister. His object then must have been a *party* object.

I will push my comparison no further at present than to say, that if Danby did not pursue, as he certainly

* I will not affirm that it is technically within the meaning of the statute of Edward III.; under that it is treason to levy war against the king, or to adhere to the king's enemies. The offence which the present secretary of state for the home department palliates is, exciting a foreign prince to make war against the king of England. It is not an adherence to the king's enemies, because, so soon as the foreign prince had become the king's enemy, at the instigation of the king's subject, it was intended, by a second act of treachery, to leave him in the lurch.

† Life of Lord Russell, 4to. p. 78.

did not, a straightforward and blameless course, and if he was swayed to his direction by the love of power, the path which his opponents pursued was equally devious from that of rectitude; and if some of them relying upon the jesuitical sanctification of the means, by the end, could justify themselves by a sincere opinion, that the measures which they favoured were beneficial to the country, this plea, from the greater part of them, is rendered suspicious, by the pecuniary benefit to which their crooked ways led them.

For Danby too, much more than we can now admit may be said as the minister of the king. A minister, now, submits to the king what he deems advisable for the people; a minister, then, received the king's commands, and thereupon communicated with the people.

Yet, while thus attacked by the commons for his complaisance to the king, he had nearly lost the royal favour. "I found," said Temple, who came to England in February, 1679, "within a fortnight after I arrived, that he sat very loose with the king his master, who told me several reasons of the change, whereof one was, his having brought the business of the plot into the parliament, against his absolute command." Though this is too strongly put, we know that it is partly true, and it is probable that the cold and reluctant concurrence of the minister in his intrigues with Louis, was another cause of the king's estrangement. At the same time, "he was hated by the French ambassador,"— and here we have the authority of Barillon himself,—"for endeavouring (as he thought) to engage the king in a war with France;" and "to complete"—I again quote from Temple—"the happy and envied state of this chief minister, the duchess of Portsmouth and earl of Sunderland were joined with the duke of Monmouth and earl of Shaftesbury in the design of his ruin." There was surely no disgrace in incurring the enmity of these persons; and it is a curious truth, that the cause of Danby's fall was his attachment to that policy, for the neglect of which he was condemned.

It is not easy to assign a character to Danby's administration, because he was always in a false position. A design has been freely imputed to him of introducing a more arbitrary system of government; and for support of the imputation we are generally referred to the despatches of the French ambassador; which despatches prove nothing, but that the charge was made by the enemies of Danby. I see no reason for believing that Danby had any scheme for the extension of the royal power; but the rejection of the habeas corpus bill in the first years of his administration by the house of lords, the committal of Buckingham and his companions by the same body in 1673, the proclamation against coffee houses, and the non-resisting test, are all indications of a disposition to exercise power to the utmost.*

While Danby was under impeachment, the commons introduced an inquiry into the disposal of money for secret service†, with a view of ascertaining the extent to which bribery had been carried. The result appears to be, that several members of the house had received during Danby's administration considerable sums of money‡ from the crown. Several of these were accounted for, as compensation for offices or contracts which had been suppressed or taken away; but there were many which can be characterised only as secret pensions, or bounty. But as this list of twenty-seven members contains many that were not pensioners in an offensive sense, so neither is it to be taken to comprise the whole of Danby's means of secret influence.

* See the character of Danby's administration, Hallam, ii. 535.

† Parl. Hist. 1131. 1137.

‡ The committee reported, that 252,000*l*. had been expended in secret service in three years. Danby reduces this sum to 194,000*l*., or 64,900*l*. yearly. This is not an enormous sum, to include secret services, foreign and domestic, of all sorts. (See Danby's Memoirs, 122.) According to Ralph (ii. 449.), the annual sum shown to have been distributed in pensions to members, was only 3,400*l*. divided among twelve; 3,900*l*. occasionally disbursed among six, and other sums upon account, which we have no reason for classing under the same head. There is nothing in the journal to support this detail. But it is stated that Danby increased from 12,000*l*. to 20,000*l*., the amount of pensions. (Parl. Hist. 1142.) Lord John Russell says, quite without warrant, that he increased in that proportion "the sum appropriated to the service of corrupting members of parliament." — Life of Lord Russell, p. 88.

There was not in those days, or for many years afterwards, any law for excluding placemen, of any description or in any number, from parliament; and many such sat in the long parliament.* That these or other means of influence were more largely used by Danby than by his predecessors, is not a fact of which there is any proof; but perhaps the general assertions of contemporary writers†, not all opposed to the court, may be taken to establish it. Foreign bribery was also new; and surely the supporters of government, who receive even a secret pension from that government, have all, and more than all, the grounds of justification, which is afforded to the most patriotic and sincere of the pensioners of Louis.

Historians have generally agreed in ascribing to lord Danby a judicious and frugal administration of the finances.‡

The unfortunate minister lay in the Tower from April, 1679, to February, 1683. The judges of the King's Bench, before which court he was more than once brought by habeas corpus, held, that it was not in their power to bail a prisoner committed by the house of lords. §

On the 27th of May, 1682, he was again brought up, and argued his own case with great learning and ability. He justly laid stress upon the fact, that he had been committed without any information on oath against him for any crime whatever, nor was any specific treason charged

* Andrew Marvell gives (ii. 555.) a list of placemen, pensioners, and other so called, corrupted members. From this list it would appear, that some were bribed by dinners, others had an allowance for giving dinners.

† See Burnet and keeper Guilford, p. 225. *antè*. — North, Examen, 456.

‡ See particularly Ralph (i. 270.) : — " He entered upon his charge with equal courage and ability; fully sensible what great demands he had to answer, and what little assistance he had to expect from the parliament: his first endeavours were to restore credit, and establish economy; and it appears he succeeded in both." I confess myself unable to master the several statements which are to be found in the " Memoirs relating to the impeachment of Thomas, earl of Danby," or in Ralph, i. 288. There is nothing to support the allegation, adopted by the continuator of Mackintosh (vii. 153.), that Charles had, at any time, a surplus revenue of 900,000*l.*, beyond " the reasonable expenses of the crown."

§ State Trials, xi. 831.

against him. He mentioned also the refusal of his counsel to plead for him at the bar of the house of lords, the king's pardon, and, notwithstanding all this, a close imprisonment of forty months. He contended that there could be no wrong without a remedy, and that the King's Bench was the only court in which, while parliament was not sitting, relief could be afforded to him. And he supported his argument by many cases, and much of legal learning, which I will not attempt to abridge for readers in general, and which lawyers ought to consult in the original.

The attorney-general gave as he had on a former occasion, the king's consent to the bailing of Danby; nevertheless, the judges, while they admitted that he had said many things which could not easily be answered, could not make up their minds to it, and he was remanded. On June 29.* he was again brought up; and though the judges differed a little among themselves, not one of them would say positively that the court had power to bail the lords' prisoner, and he was once more sent back. But afterwards, on the last day of Hilary term, 1683, the judges, without any further argument, pronounced an unanimous opinion that he ought to be bailed.† He was himself bound in 20,000*l.*, and the dukes of Somerset ‡ and Albemarle §, and the earls of Oxford || and Chesterfield ¶, in 5000*l.* each. The whole history of commitments by the crown scarcely affords a case of more "wrongous imprisonment," as the Scots term it, than this of Lord Danby, at the requisition of the house of commons.

There is no record of Danby's mode of life in the Tower, or of the associates who visited him there. Lord Plymouth** had, in the session of 1679, the special permission of the house of lords to visit him "for one

* P. 859. † P. 871.
‡ Charles Seymour, the sixth or proud duke.
§ Christopher Monk, second duke.
|| Aubrey Vere, twentieth earl.
¶ Philip Stanhope, second earl.
** Charles Fitz-Charles, natural son of Charles II., who married Danby's daughter Bridget.

time." It would thence be inferred that he was a close prisoner, yet sir John Reresby went to see him soon after his committal, and tells us that "he seemed to be very little concerned."* I cannot find that sir William Temple, who had never ceased to express gratitude to Danby, was among his visitors. Indeed, he was now closely connected with Essex, one of Danby's active enemies.

Reresby was more attentive to an old friend, but the only other visit which he mentions, occurred in March, 1682. "I found him," he says, "to express himself much more obligingly towards lord privy seal (Halifax) than he had been used to do heretofore; among other things, he said his lordship had taken a prudent and becoming course in declaring himself for a parliament; and that he was very glad of it upon a private account, that he despaired of being enlarged till there was a sitting. He said,—'Lord Rochester and his party might support themselves for a while, but the interest they built upon was no better than a sandy foundation.'"†

May it be inferred from this conversation, that Danby's reflection in prison had led him to think that the principles of the old cavalier or tory party, as men now began to call it, might be carried too far? Or did the ex-treasurer refer only to the political influence and strength of the two ministers?

Reresby, who kept up an acquaintance with great men of all parties, communicated this conversation to lord Halifax; and the celebrated trimmer professed himself more favourably inclined to Danby than he had been, though he was afraid of giving offence to others, if he should make him his friend.

Lord Danby, on his release from prison, presented himself to the king‡, who received him very kindly, and assured him that his detention had been against his consent; but they had no private conversation. Halifax came in, and Reresby (who was present) observed

* P. 87. † P. 158. ‡ P. 178.

that the salutation between the two statesmen was very cold. But he was the next day the bearer of a message from the minister in power to him that was in disgrace, apologising for his coldness, which he put on because "a more particular sort of notice would not prove so much for his service." The same motive of conduct was acknowledged by Danby, "for there was at that time," says Reresby, "great jealousy of a friendship between them." — "Lord Danby told me," continues Reresby, "he would retire to his house out of town, nor concern himself with business; though he doubted not but he might if he would, but not upon the national foundation he desired, and, therefore, would have nothing to do with it; declaring his aversion to a French or a popish interest. He told me also the substance of what had passed between the duke and him, at the visit he made to his highness after he had been with the king; and I thereby understood his lordship was upon no very affectionate terms with that prince. He said, his highness told him he had heard he had spoken slightingly of him, and he answered,—it was true, that he had often been so unfortunate as to differ with him in opinion, and could not help saying that he had never yet found any cause to repent him of it; but that, for expressing himself any how against his person, if he heard so, they were whispers and lies, and desired to know who were his informers; but the duke evaded that." Returning to the matter of Halifax, sir John observes, "I found by my lord privy seal, that he and the earl of Danby had a good understanding together." They were, in fact, both moderates, as compared with those who would have the king rely upon France rather than his parliament. But even lord Rochester, as Danby now thought *, "was closing in with the moderate men, not out of any affection for them, but to make himself a stronger rival against lord Halifax, who was suspected to stand upon a firmer bottom than he, and, consequently, to be better able to stand the shock

* Reresby, 183, 184.

of parliament, in case the king should be prevailed upon to call one." However, there was not much chance of a parliament assembling, as Danby's opinion, "that there was now a very strict conjunction between the courts of England and France," was certainly correct.*

It does not appear that Danby took any part in public affairs, during the remainder of the reign of Charles, or the early part of that of James. Under the latter, the struggle between Halifax and Rochester ended in the dismissal of Halifax †, who was therefore, as well as Danby, unconnected with the court, when the encroachments and evident designs of James, in favour of popery and arbitrary power, turned the attention of protestants, tories as well as whigs, to William, prince of Orange.

The first proceeding connected with the Revolution in which Danby appears, is his letter to the prince of Orange, of the 17th of June, 1687, carried over, with those of many other English protestants, by M. Dyckveldt.

William had sent over this confidential agent, after he had refused to concur, at the requisition of his uncle, in the abolition of the test; and Danby was amongst those with whom Dyckveldt had been instructed to confer. The prince had previously consulted Halifax, who, with strong expressions of attachment, gave him general advice to be quiet.‡ Halifax, as well as many other persons, wrote again by Dyckveldt, but did not venture either to put on paper, or to communicate verbally through the Dutchman, all the thoughts that William's messages had excited. Danby was, at this time at least, so far reconciled with Halifax, as to communicate with him upon the very delicate subject now in hand; and he gave the reserve of that deep politician as a reason for maintaining the same. I subjoin Danby's letter to the prince.§

"At the arrival of M. Dyckveldt|| in this place, I

* See Barillon's despatch of March 26. 1685, in Dalr ii. 32.

† Oct. 1685.

‡ Dec. 7. 1686; and Jan. 18. 1687. Dalr. ii. 36.

§ London, May 30. 1687. Dalr. ii. 67.

|| Not having any better authority, I give an extract from Burnet to

did by him receive the honour of being remembered by your highness. He also then told me, that your highness had been pleased to name me, amongst some others, with whom it was your pleasure he should confer on such occasions as he should think were for the service of your highness. I am therefore, in the first place, obliged to return your highness my humble thanks for so great an honour, and next to do that justice to M. Dyckveldt to assure your highness, that as you could have employed nobody here who would have been more agreeable to your well-wishers in this country, so I am confident that nobody could have discharged themselves better than he hath done, both in his deportments to the king, and with all the satisfaction that could have been wished to those with whom he has conversed concerning your highness (of which both the numbers and quality have been very considerable), his chief business having been to give assurances of your highness's great firmness in the protestant religion, and to make known not only your wishes, but endeavours, that no alteration may be made amongst us, otherwise than by parliament, and as our laws direct. . . . . I am sorry he is able to give your highness no better an account of our services during his stay here; but you know that our present stations do render most of us but little capable of doing any thing which can deserve to be thought considerable. I confess that, could there be a convenient opportunity for some of us to have a personal conference with your highness, it is not only my opinion, but the opinion of others, who have the honour of corresponding with your

elucidate Dyckveldt's instructions: — "He desired that those who wished well to their religion and the country would meet together, and consult such advices and advertisements as might be fit for the prince to know, that he might govern himself by them The marquis of Halifax, and the earls of Shrewsbury, Devonshire, Danby, and Nottingham; the lords Mordaunt, and Lumley; admirals Herbert and Russell; and the bishop of London (Compton), were the persons chiefly trusted. And by the advices that were sent over by them, the prince governed all his motions; they met at the earl of Shrewsbury's, and there they concerted matters, and drew the declaration on which they advised the prince to engage." It was not until several months after Dyckveldt's departure that the declaration, by which I suppose is meant the invitation, was prepared."—Burnet, iii. 180.

highness, that some overtures might be made, which would be of some use to your service; and I hope from their hands your highness is well informed of their thoughts, who are devoted to your service. For my own part, I am so tied to be of that number, by what I have done already (besides my continued inclination to be so), that if I were disposed to alter that character, I should not be able to make myself believed, unless your highness would contribute to it by some proof of your displeasure towards me, which I can never fear, because I am equally assured of your justice, as I am of my own integrity to your service, and of the satisfaction I have received by those happy successes I have had in it, to which I am sure no competitor can pretend an equal share; and therefore, if in this I presume to say more than I ought, I hope I may be pardoned a little vanity, having been the happy instrument of so great a public good, as I doubt not it will at last prove, as well as a particular one to your highness. I am glad to find that M. Dyckveldt, who is so able to serve your highness, is so well established in your confidence, as I understand by my lord Halifax, to whom you gave him such credentials as made me willing to speak much more freely to him than otherwise I should have done; but yet I must confess to your highness (which I rely upon your justice to keep to yourself), that finding his lordship, who received those credentials, not willing to impart some things to him, which are not very proper to be written, I thought it less prudent for me to say to him all that I could wish your highness were truly informed of. I say not this with the least reflection upon my lord Halifax (who, I am confident, is truly zealous in your service), but to show our unhappiness who dare not, to second hands, speak what was necessary for your knowledge.

"I have only to add, that if I can in any kind be serviceable to your highness, your commands will meet with so much obedience and faithfulness, that I shall not consider myself, if your highness shall think me

worthy of the continuance of that favour I have formerly received, and which I am sure I have not justly forfeited. In the mean time, I will beg the honour of being presented by your highness, with all duty, to the princess's memory, and that I may imagine 'tis your highness's opinion, as I truly am, your highness's most obedient and most devoted servant, — DANBY."

In the autumn of 1687, the prince sent another agent, M. Zulestein; by him Danby received a letter from the prince; an extract of his reply * follows: —"I can say nothing which is so pressing in point of time, nor would I commit to writing what the thoughts of others are besides my own, without their consent, for which I have had no opportunity since I received your letter, which was not till the 2d inst . . . . . . I confess I could wish that the understanding, both on your highness's part and ours, were more perfect, in relation to such future events as may probably happen, and which are too long to be expressed by letters; but I have touched upon some things of that kind to M. Zulestein, as questions which I have been asked by others, and he made me such answers as I was glad to hear, and which, he said, he was instructed to give, in case any such inquiries were made, of which he will give your highness an account. I made some open attempts in the last summer, and some private ones in this, to have seen if I could have gained leave to go into Holland with the same indifferency that it is permitted many others, but I still found designs were laid to do me more prejudice by that journey, than I could have done service to your highness. I must therefore deny myself the honour of waiting upon your highness, till my attendance may be as useful as such an occasion will be agreeable to me, and then nothing shall be an hindrance to, &c., DANBY." He mentioned an unsuccessful attempt to obtain leave to go to Holland.

A letter of March 27th, 1688 †, contains the first

* Wimbledon, Sept. 4. 1687. Dalr. ii. 80.
† Dalr. ii. 92.

indication, on the part of Danby, of the suspicions, which soon became general among the protestants of England, of an intention to impose upon the nation a supposititious heir.

It is difficult to pronounce upon the sincerity of these apprehensions. That they were *bonâ fide* entertained by great numbers, I have no doubt whatever; but whether the more eminent men really had the doubts, for which there appears to have been at no time any reasonable ground, is a different question. When it answers the object of a party to sustain a tale of this kind, zealous partizans scarcely admit into their own breasts the question, whether they believe it, or not. Could so old a politician, and so able a man as Danby, be in this state of mind? or did he sincerely entertain the doubts which he expressed? or did he feign them, with political views? * Another letter of the same time displays James's great jealousy of the communication of Englishmen with the prince, and the boldness, or imprudence of his avowals. Giving leave to the son of Danby to go beyond sea, the king added, "provided it be not into Holland, for I will suffer nobody to go thither." "My son," writes Danby, "answering that he had no design of any thing, but to see a country he had not seen, the king answered, perhaps so, but he had relations who had other designs there, and he knew there were those in Holland who gave themselves hopes of seeing some English lords at the head of some of their squadrons, but he would take care to prevent it. . . . . On the 28th, my son went to court to get his pass from one of the secretaries of state, and the king happening to see him, called him to one side of the room, and said, 'My lord, I had newly received some news last night when you spoke to me, which had disturbed me †, and made me

* Lord Devonshire's letter of March 13. to the prince, insinuates the suspicion; in one from Halifax of April 12. there is no allusion to the queen. But Halifax was backward in encouraging the prince.

† This news apparently was, that his raising three new regiments had surprised people in Holland.

speak to you in some disorder, therefore I would not have you take notice of any thing I then said to you, for I dare trust you to go where you will; but said, if you only go for curiosity, you might as well satisfy that elsewhere as in Holland.'"

The prince of Wales was born on the 10th of June, and the prince of Orange was among those who congratulated James upon the event. On the 30th of the same month, the day of the bishops' acquittal, lord Danby was one of the seven* who signed the famous invitation to the prince of Orange. By this act, this eminent tory committed himself to the enterprise which ended in the Revolution. But what the precise intentions of the inviters were — what they contemplated as the consequence of the measure which they advised — how far they were prepared to go in the use of force — are questions which it is impossible to answer now, and which, probably, those who signed the requisition could not have answered at the moment of signature.

According to Burnet†, upon whom, however, I do not rely, Danby was one of the first persons to whom the proposition for inviting the prince was made by Mr. Sidney. Lord Halifax, who had been previously consulted, had discouraged it, "and it was next," says the bishop, "opened to lord Danby; and he not only went in heartily to it himself, but drew in the bishop of London (Compton), to join in it."

On this occasion, we find Danby associated confidentially in a dangerous undertaking with the earl of Devonshire, — that lord Cavendish, who had been one of his foremost antagonists and prosecutors. There was not either disgrace or inconsistency in this union. Both the men were zealous protestants. When Cavendish attacked Danby, he believed that he was pursuing measures hostile to the protestant interest; he had probably now discovered that he was entirely mis-

* The earls of Shrewsbury, Devonshire, and Danby; lord Lumley; admiral Russell, Henry Sidney, and the bishop of London. Dalr. ii. 107., from the original in the hand-writing of Sidney.
† iii. 278.

taken as to Danby's views, in 1678; and at all events he was now satisfied, by unequivocal proofs, that Danby would not lend himself to popish measures. — They were united against a course of policy, which both disapproved.

I now subjoin the most important passages of the celebrated paper * to which Danby set his hand: — "The people are so generally dissatisfied with the present conduct of the government, in relation to their religion, liberties, and properties (all of which have been greatly invaded), and they are in such expectations of their prospects being daily worse, that your highness may be assured, that there are nineteen parts twenty throughout the kingdom, who are desirous of a change; and who, we believe, would willingly contribute to it, if they had such a protection to countenance their rising, as would secure them from being destroyed, before they could get to be in a posture able to defend themselves. It is no less certain, that the greatest part of the nobility and gentry are as much dissatisfied, although it may not be safe to speak to many of them beforehand; and there is no doubt but that some of the most considerable of them would venture themselves with your highness at your first landing, whose interests would be able to draw great numbers to them, whenever they could protect them, and the raising and drawing men together; and if such a strength could be landed as were able to defend itself and them till they could be got together into some order, we make no doubt but that strength would quickly be increased to a number double to the army here, although their army should all remain firm to them." — They then notice the probability of a great defection from the king's army, and the probability of measures being taken by "a packed parliament," which will deprive them of "all possible means of relieving themselves." They proceed, — "These considerations make us of opinion that

* Dalr. ii. 107.

this is a season in which we may more probably contribute to our own safeties than hereafter (although we must own to your highness there are some judgments differing from ours in this particular), insomuch that if the circumstances stand so with your highness, that you believe you can get here time enough, in a condition to give assistances this year, sufficient for a relief under these circumstances which have been now represented, we, who subscribe this, will not fail to attend your highness upon your landing, and to do all that lies in our power to prepare others to be in as much readiness as such an action is capable of, when there is so much danger in communicating an affair of such a nature, till it be near the time of its being made public."

The writers then advert to injury which the prince had done to his own cause, by his "compliment upon the birth of the child (which not one in a thousand here believes to be the queen's), the false imposing of that upon the princess and the nation, being not only an infinite exasperation of people's minds here, but being certainly one of the chief causes upon which the declaration of your entering the kingdom in a hostile manner must be founded on your part, although many other reasons are to be given on ours." They conclude with suggestions for bringing some good engineers, ammunition, artillery, and other preparations for war.

The proposer of the non-resisting test of 1675 is assuredly convicted, by this paper, of striking inconsistency; for the paper breathes nothing, from beginning to end, but forcible resistance. Yet the inconsistency is not to be charged peculiarly and personally upon Danby. In the former instance, he represented a very considerable party in the country, and he had the same party with him now. No popery, which was not a mere yell, as it has since been childishly called, but a sentiment deeply rooted in the hearts and consciences of the people, got the better of non-resistance, a speculative doctrine, which few men admit when they think themselves in the right.

I know not at what time Danby met lord Devonshire as a friend; the meeting was at Whittington, in Derbyshire, and Danby tells us that the whig nobleman then "did, in the presence of Mr. John D'Arcy, make a voluntary acknowledgment of the great mistakes he had been led into about him, and said that he, and most others, were entirely convinced of their error." *

At the beginning of October, the two earls met again at sir Henry Goodricke's, in Yorkshire, and their meetings now attracted the notice of lord Fairfax, the Roman catholic lieutenant of the north riding, who observed to sir John Reresby †, that "it could be for no good end that they were come into the country."

The intended expedition was by this time no secret, and now that the stone which he had put in motion began to roll, lord Danby felt the embarrassments of his situation. He was summoned to London, by the king's order, through lord Belasyse; and if we may give credit to the information which Reresby professes to have received from the duke of Newcastle ‡, a protestant, whom James, in a moment of fear, had made lieutenant of all Yorkshire, he had made some "offers of service," having, however, no manner of intention of going up.§

This dissimulation was absolutely necessary; and the sin of it, if any, is involved in that of the invitation to the prince. If he was justified in that invitation, he was justified in concealing it from the king; a direct refusal to obey the royal mandate, would have been tantamount to an avowal of the hostile design.

* Introd. to Danby Letters, p. vi. He also says: — "Many, both of lords and commons, who had in 1678 voted against me (and particularly the lord Russell, and sir Henry Capel, who was the man that carried up that impeachment to the lords), having owned to me their being led into great mistakes concerning me, and that they were sorry for it, and that many others were then undeceived as well as themselves."

† P. 275.

‡ Henry Cavendish, the last duke of that name.

§ Reresby, p. 278. Ralph. i. 1018. 1025. The Gazette of Oct. 11. 1688., contained this notification :—" Whitehall, Oct. 10. Several of the nobility and gentry continue to offer their services to his majesty, amongst which are the earls of Pembroke, Westmoreland, and *Danby*, and the lord Huntingtower."

Yet Danby was now uneasy about the possible consequences of his own act. "Upon some discourse," says his old country neighbour (who adhered to the king), "with the earl of Danby, at the Dean's house (of York, of which Reresby was governor), his lordship broke out into these expressions:—"We are now every way in an ill condition in this kingdom. If the king beats the prince of Orange, popery will return upon us with more violence than ever. If the prince beats the king, the crown and the nation may be in danger." *

He was nevertheless active in the service of the prince. When William was advancing from Exeter towards Salisbury, and a hostile encounter appeared probable, he put himself at the head of a hundred horse, consisting of gentlemen and their servants, and marched up to four troops of mounted militia. These came over to Danby's party, in favour of "a free parliament, the protestant kingdom, and no popery." This force then surprised the main guard; and Danby, having placed thirty men before the door of the governor's house, accosted him to this effect: to resist was useless; he and his companions were in arms for the protestant religion, and the government as by law established, which the king had almost brought to nothing, and which the prince of Orange was come to restore. The two cavaliers professed to agree "in principles," but Reresby said that, "he could not conceive it lawful to extort any thing from the crown by any manner of force," and that he could not act in concert with those who openly acted in contempt of his authority and commission. According to Reresby, and, indeed, to the probability of the case, Danby forbore from entering into an argument, but declared that he must imprison the governor; soon afterwards, however, he gave him his parole. The insurgent force then occupied the city of York. Danby obliged the mayor to convene a meeting, at which he addressed the citizens, many of whom

* P. 278., Oct. 15.

signed a declaration which he submitted to them, together with many principal men of the county.

Archdeacon Echard* relates the proceedings of lord Danby in the north, in more detail than even Reresby; but he gives no authority, and I cannot vouch for his accuracy.

He had formed, according to this writer, a little army and council, in which he acted with the lords Lumley, Fairfax, Willoughby, and others, who assisted him in the seizure of York. But when the prince landed in the distant part of the country, this adventurous band began to be a little apprehensive for their own safety; but Danby reminded them that they were already guilty of treason, and as they could not go back, they must go forward. He told them that James was a coward, and would not meet the prince. But he had recourse to artifice for keeping them in the right course. He intercepted all letters, and produced those only which answered his purpose; and when news came, which he could not intercept, that the king would pardon all that deserted the prince, he caused a fabricated letter to be brought to him by express, just as he was sitting down to dinner with his friends. — It was only a letter, he said, from lord ——, and might be read at leisure. After dinner he drew the letter from under his plate, and read it; — his correspondent assured him, as a secret worth knowing, that the king, as soon as he could cause a disunion among them, was resolved to hang up all whom he could get into his hands. At another time he intercepted a letter from one of the king's friends in Yorkshire, acquainting his majesty that the adherents of the prince in those parts amounted to about 4000 men. Those to whom he showed this letter proposed that it should be stopped; but their artful chief added a cypher to the number, and thus sent to the king authentic information that 40,000 men of Yorkshire had risen against him.

* Hist. of the Revolution, p. 170.

Lord Danby and his companions became masters of Hull, Newcastle, and Berwick. Decisive as these measures were, amounting beyond all doubt to high treason against the king, Danby did not join the prince, or repair to London. He was therefore no party to the proceedings of the 11th of December, when, after the flight of the king, many of the lords spiritual and temporal publicly declared their resolution "to assist the prince of Orange in obtaining a free parliament with all speed, whereby our laws, our liberties, and properties may be secured, the church of England in particular, with due liberty to protestant dissenters, and in general the protestant interest over the whole world may be supported."*

Sir John Reresby tells us, on the authority of Danby himself, that king James, before he went away, "offered to throw himself into his hands." Danby's reply, through Charles Bertie, his wife's brother, who brought the message, was this: —His own force which he depended upon in the north was not sufficient to trust to, but if his majesty would bring a considerable party with him, and come *without his papists*, he would sooner lose his life than he should sustain the least injury;" but the king, having no mind to part with his Romans, would not come.†

It is said that, at this time, the prince sent repeated messages to Danby, requesting him to come to London: it is not known what answer he returned, but he arrived in town on the evening of the 26th December ‡, the day after the meeting of peers, when they invited the prince of Orange "to take upon him the administration of affairs until a parliament could assemble."

It is possible that Danby purposely avoided this meeting, for he was at first very reserved; at least the

* Kennet, iii. 533.

† P. 325. Reresby says, in p. 321., that he had been told by a great court lady, that James had thought of joining Danby. According to this account, the intention was entertained after the king's first flight and return.

‡ Clarendon's Diary, ii. 236.

bishops of Norwich and Ely*, who visited him soon after his arrival, "could not make any discovery of his mind." To another of his visitors, lord Abingdon†, Danby appeared to be sorry that the king had withdrawn himself; but he avoided particular discourse, being, as I have no doubt, really and sincerely puzzled.

When the convention met on the 22d of January, 1689, lord Danby took his seat among the peers.‡ He had by this time reconciled his mind to their proceedings, so far at least as to take a prominent part§ in thanking the prince of Orange for what he had done, and praying him to continue in the administration of affairs. And he, no doubt, heartily concurred in the first vote of the lords, which was indeed unanimous, — "that it has been found by experience to be inconsistent with the safety and welfare of this protestant kingdom to be governed by a popish prince."||

Before the lords decided upon the famous vote sent to them by the commons¶, they debated upon the proposition of lord Nottingham, — "whether a regency with the administration of regal power under the style of king James II., during the life of the said king

* William Lloyd, and Francis Turner, both afterward deprived for not taking the oath to king William.

† James Bertie, first earl; he had contributed 30,000*l* to the prince's expedition, but opposed the vote of vacancy. He was half-brother to lady Danby. — Collins, iii. 628.

‡ Lords' Journ. xiv. 101.

§ He was chairman of the committee for drawing up the address, as he was afterwards of the committee of the whole house on the state of the nation, in which the votes sent up by the commons were considered.

|| Parl. Hist. p. 52.

¶ The debate upon this resolution in the house of commons is reported at considerable length; but the proceeding being in committee, we know not the stages by which it came to its recorded form. It appears that Mr. Dolben moved "That king James II., having voluntarily forsaken the government, and abandoned and forsaken the kingdom, it is a voluntary demise in him." This resolution, with the help of the convenient fiction concerning James's son, would have put the crown on the head of the princess of Orange, as desired by Danby. (Parl. Hist. v. 36.) The final vote was, — "That king James II., having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people, and, by the advice of jesuits and other wicked persons, having violated the fundamental laws, and having withdrawn himself out of this kingdom, has abdicated the government, and that the throne is thereby vacant." — p. 50.

James, be the best and safest way to preserve the protestant religion and the laws of this kingdom."*

Lord Danby voted with lord Halifax in opposing the affirmative of this proposition, and was one of fifty-one who carried the negative against forty-nine.† The first part of the commons' vote was then passed, but not without one division or more, upon the questions, whether there was an original contract between king and people, and whether king James had broken that contract.‡ These questions were resolved in the affirmative; but I know not how Danby voted upon them. The word *abdicated* was changed to *deserted;* but before a question was put upon the concluding proposition (the vacancy of the throne), it was proposed to supersede it by a resolution that the prince and princess of Orange be declared king and queen.§ This being negatived (by the previous question), the declaration of the vacancy of the throne was also omitted.||

It is probable that Danby was in the majority, by which the vacancy of the throne was denied.¶ It would seem that his doctrine was, that James having deserted the throne, and leaving no son (for it was assumed that the young prince was supposititious), the princess of Orange had become queen; and under this notion he sent a message to the princess, who was still in Holland, proposing that she should be made queen-regent. But Mary, who was an excellent wife, declined the proposal, and sent it with her answer to the prince.**

At a meeting at lord Devonshire's, the dispute ran very high between Halifax and Danby; the one for

* Lords' Journ. xiv. 110. Clar. Corr. ii. 256.

† Parl. Hist. v. 58, 59.

‡ These questions are not mentioned in the Journals; they probably occurred in the committee. I quote the Parliamentary History; it will be seen presently, that that work is not to be relied upon.

§ Journ. 112.

|| By eleven voices, according to the Parl. Hist.

¶ The Parl. Hist. v. 60., and many historians affirm, that he joined in a protest against the decision of the house; but his name is not among those of the protesters in the printed Journal.

** Burnet, iii. 393.

the prince, the other for the princess. With great difficulty Halifax persuaded the Dutch minister Fagel to give his opinion, who, disclaiming all knowledge of his master's sentiments, gave it as his own, that the prince would not like to be his wife's gentleman usher; upon which lord Danby, finding it useless to press his particular project, broke up the assembly.*

Danby found by this time that he had gone too far. He could not realise his peculiar notion in favour of the princess of Orange. There was no alternative but to give the crown to William. But he was not left to arrive at this truth by inference from the circumstances. The prince himself called him, with Halifax and Nottingham, to a private meeting, in which he plainly said, that he must either be king or return to Holland. Thus driven to the wall, and feeling that a man of courage was necessary for the crisis, and that William would not last long, Danby acquiesced in the vote of vacancy†, and the party that concurred with the house of commons then obtained a majority. When he had made up his mind to a change of dynasty‡,—for such, although attended with many qualifying considerations, the transfer of the crown certainly was, — Danby went warmly into it; for the only speech which, according to the historians of the time, he made during these transactions, was an "excellent speech to prove the vacancy of the throne, and the necessity of filling it by the prince and princess of Orange," which was delivered on the day of the final vote.

I find no mention of Danby in any of the discussions concerning the Bill of Rights.

On the accession of William and Mary, Danby was

* Lord Dartmouth, on the information of sir W. Wharton. Burnet, iii. 394.

† I do not find the name of Danby among the speakers at the celebrated conferences between the two houses, nor indeed was he one of the managers for the lords. He was one of the committee for drawing up reasons for the disagreement. — Journ. 116.

‡ Lord Dartmouth's note in Burnet, iii. 396.

made president of the council, and soon afterwards marquis of Carmarthen.* This latter honour had been designed for him by Charles at the time of his disgrace, but neither it, nor the high office to which he was appointed, — not equal, indeed, either in rank or importance, to that which he had formerly held, — entirely reconciled Danby to the new government. If we give credit to the accuracy of Reresby, and the sincerity of Danby himself, nothing but the urgent request of the king induced him to accept the presidency. The more active post of secretary of state, which was offered to him in conjunction with the more dignified office, he declined. Nottingham and Shrewsbury were the two secretaries; and the latter had, according to Burnet †, the greater share of the king's confidence. No man, indeed, had been more zealous in the revolution than Shrewsbury, while Nottingham acquiesced in it with avowed reluctance. Danby was, on the whole, according to his rival Halifax, very much "down in the mouth." ‡ It is conjectured that some jealousy of Halifax, whose office of privy seal was more lucrative, though slightly inferior in rank, helped to produce this melancholy feeling. But he had grounds of discontent which had more reference to political principle. Notwithstanding that he had lately made a prisoner of his old neighbour sir John Reresby (who was already reconciled to the new court), lord Danby now invited him to dinner, and imparted to him his griefs. "I found him," says Reresby, "extremely cool with regard to affairs as now managed. He said, that being embarked with his all, he was sorry to see things no better conducted; that Ireland was now in a manner become invincible by our neglect of sending forces thither before now; that with regard to this and other material points, equally unheeded, he had been pressing with the king to a degree even of incivility; that he had told his majesty he plainly saw he did all he could to encourage the pres-

* April 20. 1689. † IV. 3. ‡ Reresby, 321.

byterians *, and to dishearten the church, which could not but be absolutely prejudicial both to him and the government: though he at the same time observed, that his majesty interfered but little in councils, being prevented therefrom partly by inclination and partly by want of health." After mentioning the correspondence with king James already noticed, he observed that, "if the king (James) would but quit his papists, it might possibly not be too late yet for him. The duke of Gordon, a papist, and the governor of Edinburgh castle (the only magazine in Scotland), who was lately ready and willing to surrender it to any body, now held it obstinately for king James; and the discontents in England grew greater daily and greater. He then reflected on lord Halifax, the king, and all about him, as most strongly infatuated with notions of their own security, and particularly animadverted on the last-mentioned lord, for insisting with such violence in a speech of his, that the prince should be intitled legal and rightful king of this realm (which I suppose the lord Halifax did with a view of continuing the old oaths of allegiance and supremacy †, and to obviate all scruple about taking the new), saying it was mere nonsense; for that had the prince of Wales been made king he could never have been deemed our lawful sovereign while his father lived. But his lordship nevertheless appeared very serious and urgent about the legality of taking the new oaths, and condemned the bishops for their squeamishness in that repect, though they themselves had had so large a hand in bringing about this great and extraordinary change; and thereupon quoted lord Nottingham's speech, who, in the house of lords, had observed, that though he had never in the least consented to this revolution, but had with all his might opposed the prince's accession, as contrary to law, yet

* See Burnet, iv. 50.
† I find no notice of this in the Parliamentary History, or in the Journals: the latter omission is owing to the proceeding being in committee. See Burnet, iii. 401.

since his highness was here, and we must owe our protection to him as king *de facto*, he thought it but just and legal to swear allegiance to him."

Unfortunately, I cannot ascertain the part which Danby took in the most interesting measures which were discussed in the house, or even in those which were recommended from the throne. The parliament required not the influence of Danby to induce them to moderate the king's zeal in favour of dissenters. He would willingly have removed, in favour of *protestants*, all religious disqualifications for civil offices; but all that was carried was the act of toleration.*

There was an abortive attempt at a *comprehension;* a bill for uniting their majesty's protestant subjects† passed the lords, but was rejected by the commons.‡ In discussing this bill, the lords were more than once equally divided, upon a proposition for leaving the kneeling posture at the sacrament a matter of indifference; and upon another, for uniting some laymen with the clergy, in a commission for considering the terms of union.§ Danby was present at these debates, and perhaps it may inferred, from the equal division of the house upon certain points, and the final passing of the bill, and from the nomination of Nottingham to be chairman of the select committee‖ on the bill, that he and the rest of the tory ministers supported it. This is the more probable, as some time afterwards a commission was issued by the king to some divines only, to prepare a scheme for the convocation; but the lower house of that body would not entertain it.

Lord Danby was at this time deemed in some sort the champion of the church party. Evelyn mentions a conversation at his house, between Lord Abingdon, the bishop of Ely, and others, about the then expected sus-

* William & Mary, c. 18.
† Lords' Journ. xiv. 147—171. Com. Journ. x. 84.
‡ They resolved, *nem. con.*, to read it, and then took no farther notice of it.
§ Journals, and Burnet, iv. 17.
‖ Danby was not a member of this committee; perhaps, because he was not present on the day on which it was nominated.

pension of the bishops, who would not take the oaths to the new government. Evelyn's advice was, that an attempt should be made to interest lord Danby in the affair; and, if he were convinced that it would not be for the king's service that the bishops should be deprived, the application might possibly be successful.* If Danby advised the king to dispense with the oaths (of which however there is no evidence), the advice was not successful.

This part of the life of Danby, (or, as I must now call him, Carmarthen), is not illustrated by his own letters, or other authentic evidence. I have not any authority beyond that of Burnet, and he says very little of Carmarthen. He tells us that king William soon grew jealous of the whigs, and was particularly (and reasonably) discontented with their failure to provide him with a civil list for life. The tories, according to the same authority, took advantage of this, and made great promises to the king. I know not whether it is to be understood that Carmarthen was one of those tories; if he maintained the principle of a permanent provision for the civil government and royal household, he supported that which has now been for many years the doctrine of all eminent whigs.

The convention parliament soon began to turn against the leaders who had called it together. The house of commons was discontented at the slackness of the proceedings for the recovery of the protestant cause in Ireland. The appointment of a committee to consider this subject, is immediately followed by a motion, "that an address be presented to his majesty to remove from his presence and councils *such persons as have been impeached in parliament.*"† This motion, which was unquestionably directed against lord Carmarthen (though we are told that the mover refused to name any person), is said to have been made by Mr. Howe, who held at this time the office of vice-chamberlain to the queen, but

* Clar. Corr. ii. 298.; Dec. 15. 1689.
† Journ. June 1. x. 162. Parl. Hist. 283.

was for some cause discontented with the court. The discussion was adjourned, and not renewed: nothing further appears, but an entry that a debate arose, whether a pardon was pleadable in bar to an impeachment in parliament; which question (which may also be presumed to have been pointed at Carmarthen), the house resolved in the negative.*

In the course of their proceedings, the commons addressed the king for leave to inspect certain official books; to which the king answered that he would consider of it. The house passed a general censure upon his advisers†; and Mr. Howe moved for an address to the king "for removing the marquis of Halifax and *marquis of Carmarthen* from his councils."

This vote shows us, how differently the constitution worked in those days. Here is a censure upon the king's ministers, carried unanimously in the house of commons, without occasioning a general resignation. The king gave way, and nothing further was mooted concerning lord Carmarthen.‡

In its second session §, the convention parliament renewed, in no very friendly part, its inquiries into the conduct of the war; but did not refuse the supplies for carrying it on. But the most important measure was a clause introduced by the whigs into the bill for restoring corporations, whereby they attempted to secure their predominance in all the towns of England; they proposed to exclude all who had concurred in the surrender of charters to James II., and thus to give the command

* P. 165.

† Resolved, *nem. con.*, that those persons that have been the occasion of delaying sending relief to Ireland, and those persons that advise the king to defer the giving leave for some members of the house to inspect the minute books of the committee for Irish affairs, are enemies to the king and kingdom." — July 13. 1689. *Parl. Hist.* 381. *Journ.* x. 217.

‡ Tindal says (iii. 97), that after the house had resolved, on the 3d of August, that there had been delays in the succour of Ireland, it was proposed to represent to the king that it was inconvenient to his affairs that the marquis of Halifax was in his councils. I cannot find the vote. There is probably some mistake about dates. It would seem that the house had by this time discovered that the president of the council took not much part in public business.

§ Oct. 23. 1689. Parl. Hist. v. 405. Com. Journ. x. 272. Lords' Journ. xiv. 322.

of all corporations to their partizans. This clause was rejected by a small majority in the house of commons, and the lords went still further, in refusing to declare the surrenders illegal.*

These struggles of party almost drove the king to despair: calling to him Carmarthen, Shrewsbury, and some others, he avowed a resolution, real or pretended, of going back to Holland, "leaving every thing in the queen's hands †;" and, although dissuaded from this decisive proceeding, he substituted a resolution to disembarrass himself for a time of the factions in England, by going in person to conduct the war in Ireland: but he adopted a course which his whig advisers, especially lord Shrewsbury ‡, thought almost fatal to that interest, in dissolving the parliament § which had placed the crown upon his head. Lord Shrewsbury, who was much valued by the king, was with difficulty persuaded to retain his office; but Halifax, immediately after the dissolution, ceased to hold the privy seal, and soon joined the opposition.

The tories were strong in the new parliament ||, and obtained at this time another triumph, in a new modelling of the lieutenancy of London. So says Burnet; and a vote of the house of commons, thanking the king "for the great care he has expressed of the church of England, in the late alterations he has made in the lieutenancy of the city of London ¶," confirms this statement.

A bill, now introduced, for recognising the king and queen, and sanctioning all acts of the convention parliament **, has been deemed a trial of strength between whigs and tories upon principle.

The quiescence, if I may so express myself, or per-

* Burnet, iv. 68. Parl. Hist. 508. 536. Com. Journ. x. 329. Lords', xiv. 423.

† Burnet, 70.

‡ See his letter to the king, Dec. 22. 1689. Shrewsbury Corr. 14.

§ Feb. 6. 1689,

|| It met on the 20th March, 1689-90, and sat to 23d May, when it was adjourned. Parl. Hist. v. 541. 647. Comm., p. 348. 424. Lords', p. 430. 507.

¶ By 185 to 136. Parl. Hist. 594.

** April 5. 1690. Parl. Hist. 574. Lords' Journ. 450. 455.

haps the cautiousness of Danby's politics at this time, appears in his abstaining from the signature of either of the protests which the leading men of the two parties recorded on this occasion.* Except this negative evidence, I have none of Carmarthen's part in this transaction.

The same want of information prevails as to the bill for abjuring king James. But it may perhaps be presumed that Danby was against this bill, as the king himself is said to have desired that it might not proceed.†

These occurrences at last occasioned the resignation of Shrewsbury. Having been for a long time dissatisfied, not only with the inefficiency of the ministry, but with the increasing influence of the tories, he resigned the seals on the 2d of June, 1690‡; and was succeeded by Henry Sidney (lord Romney,) the king's personal friend.

That Danby took the more tory side on all these questions, may fairly be inferred from his known opinions. And others, who had been concerned in the revolution (especially bishop Compton, who was one of the seven inviters), were now forward on the tory side. But it may be inferred also, from the disposition which the whigs in the house of commons now shewed to attack him.

In a committee on the means of securing the nation during the king's absence, a sir John Thompson, after alluding to persons who, "having sold the nation to France once, would sell it again," moved "that all those who advised the king to dissolve the last parliament may be removed from his council." § Another thought, that "those under impeachment in former parliaments

* See Hallam, iii. 166. The tory protest (which was expunged from the journals), affirmed that "the declaring laws to be good, which were passed in a parliament not called by writ in due form of law, is destructive of the legal constitution of this monarchy, and may be of evil and pernicious consequences to our present government under this king and queen." — Parl. Hist. 577.

† Burnet, p. 80.

‡ Shrewsbury Corr. p. 17. Clar. Corr. ii. 311. 316. Burnet, iv. 81.

§ May 14. 1690. Parl. Hist. 643.

were not fit to be near the king." Colonel Granville went more directly to the point:—"I am for the head of the privy council — a great man, a bold man, and an able man, capable of making an attempt upon English spirits. When we reflect upon the arbitrary acts and counsels of the marquis of Carmarthen in king William's time, it reminds us of the same actions in king Charles the Second's time. I have heard of his merit in the revolution. A private life would have better become him, and been more for his interests. I cannot wonder if people be cautious in sending money to those that have so often miscarried. At one leap, from being prisoner in the Tower, to be president of the council, sticks with me. He has been impeached by the commons of England, and now to grasp at power, to satisfy his revenge upon those who have impeached him for betraying the liberties of England! I would pass some censure upon him, and pull him down, though he were greater than he is, and I will be ready to do always so to those that betray the liberties of England."

But Danby was not without friends. Sir John Lowther, sir Henry Goodricke, sir Edmund Jennings, and Mr. Dolben spoke for him, insisting chiefly upon the absence of specific charges against him, and his services in the match, and the revolution. Apparently the matter dropped.

The attempt to revive the impeachment was not confined to the house of commons; and Burnet, professing to have the very best authority, tells us that this ungracious design was set on foot by one who had been united in council with lord Carmarthen, both in office and out of office, subsequently to the impeachment.

The journals show that a question regarding the continuousness of impeachments was raised in the house of lords*; but Burnet says that it was through certain members of the house of commons, as the assembly in which such attempts were more likely to thrive, that lord Shrewsbury attacked his late colleague:—"All this discovered a

* Lords', xiv. 450.

design against that lord (Carmarthen), who was believed to have the greatest credit with the king and queen, and was again falling under an universal hatred. In a house of commons, every motion against a minister is apt to be well entertained; some envy him, others are angry at him; many hope to share in the spoils of him, or of his friends that fall with him; and a love of changes, and wantonness of mind, makes the attacking a minister a diversion to the rest. The thing was well laid, and fourteen leading men had undertaken to manage the matter against him, in which the earl of Shrewsbury had the chief hand, as he himself told me, for he had a very bad opinion of the man, and thought his advices would in conclusion ruin the king and his affairs."*

"The administration, after the secession of Shrewsbury, which had been preceded by the placing of sir John Lowther at the head of the treasury, in the room of lord Monmouth, has been by some writers styled the Carmarthen administration, and often the administration of the tories. Halifax, Shrewsbury, Nottingham, and Carmarthen were assuredly the most eminent among the ministers of the king's first appointment, and as the former two, between whom and the lord president there was no friendship or political connection, were now out of office, it may fairly be presumed that Carmarthen had a greater influence with the king than he had had before. He took perhaps a more active part in affairs generally; but he had not by any means the power of a prime minister.† Indeed, in one part of the administration, namely, the war, the king was certainly his own minister.

Nor was the government exclusively filled with tories, or nearly so; neither with tories by principle, nor tories by party; for the confusion of party and principle had certainly begun by this time.

Immediately after the adjournment of parliament and

* Burnet, iv. 121.
† He knew nothing of the appointment of a successor to Shrewsbury until after it had been made. Burnet, iv. 8.

the resignation of Shrewsbury, the king went to Ireland*, He left a cabinet of nine persons, to advise the queen †, — Carmarthen, Devonshire, Pembroke‡, Marlborough, Nottingham, Monmouth, Dorset§, Sir John Lowther, and admiral Russell. Among these, Carmarthen was the minister whose advice the queen was desired chiefly to follow. Nottingham, Pembroke, Lowther, and Marlborough may be considered as tories, but by no means as forming a party at the command of Carmarthen.

The queen wrote constantly to her husband, during his absence. Her letters are very pleasing and affectionate, and indicative of much good sense and feeling.‖ Notwithstanding her husband's injunction to listen chiefly to Carmarthen, Mary had occasionally some distrust of him.

The French fleet were off the coast of Hampshire and Sussex, opposed by the English and Dutch, under lord Torrington and admiral Evertzen. The cabinet soon began to think the English admiral too slack in bringing the French to action; and it was proposed to associate some other person in the command with him. When objection was made to this, which would in these days be justly thought a monstrous proposition, lord Monmouth (afterwards well known as the enterprising Peterborough) offered to go as a volunteer, with a dormant commission. The queen objected to parting

* June 14. 1690. The two houses were adjourned on May 23. 1690, to July 7., and then prorogued. They met again for business on Oct. 2.; but sat only to Jan. 5. 1690-1., doing nothing remarkable. Parl. Hist. 649. 652. Comm. 425. 536. Lords', 513. 618.

† "The king (when he went to Ireland) left a cabinet council of eight persons, on whose advice she was chiefly to rely; four of them were tories, and four were whigs; yet the marquis of Carmarthen and the earl of Nottingham, being of the first sort, who took most upon them, and seemed to have the greatest credit, the whigs were not satisfied with the nomination." (Burnet, iv. 87.) Burnet is clearly wrong in his number, ...

appears some doubt between Dorset and Godolphin.

‡ Charles Sackville, sixth earl (descended from the treasurer Buckhurst,) one of the fine gentlemen of Charles's court, and a minor poet, celebrated by Dryden, Prior, and Johnson. Collins, ii. 169. Johnson, vi. 287.

§ Thomas Herbert, eighth earl.

‖ I very much lament the necessity of confining myself to such of them as immediately concern lord Carmarthen.

with one of her advisers: — "I said it," she writes *, "really as I meant, and besides, to hinder propositions of this kind for Mr. Russell, for I see lord Carmarthen has upon several occasions, to me alone, mentioned the sending Mr. Russell, and I believe it was only to be rid of him; for my part, after what you have told me of all the nine, I should be very sorry to have him from hence. . . . . . . Now I have named Mr. Russell, I must tell you that at your first going he did not come to me, nor I believe, to this hour, would not have asked to have spoke with me, had not I told lady Russell one day I desired it. When he came I told him freely that I desired to see him sometimes, for, being a stranger to business, I was afraid of being too much led or persuaded by one party. . . . I hope I did not do amiss in this, and indeed I saw at that time nobody but my lord president, and was afraid of myself. Lord Carmarthen is upon all occasions afraid of giving me too much trouble, and thinks, by little and little, to do all: every one sees how little I know of business, and therefore, I believe, will be apt to do as much as they can. Lord Marlborough advised me to resolve to be present as often as possible; out of what intention I cannot judge, but I find they meet often at the secretary's office, and do not take much pains to give me an account. This I thought fit to tell you. Pray be so kind as to answer me, as particular as you can."

If the reputation of Russell as a naval commander was now such as we have been accustomed to assign to the victor of La Hogue, Carmarthen was assuredly justified in being "mighty hot," as the queen expressed it †, upon giving to the fleet the benefit of his presence. The lord president, however, concurred with a majority of his colleagues in permitting Monmouth to go; afterwards (if I understand what is not quite clear) Russell was sent also, by an unanimous vote; in what capacity I cannot ascertain. ‡

* July 6. 1690. Dalr. iii. 77. † P. 8 ‡ P. 84.

But while Mary and her cabinet were deliberating, lord Torrington had been defeated off Beachy Head.* Upon this, "the lords unanimously agreed," she says, "to send two of their number,"—for what good purpose, it is difficult to guess,—"and would have me choose them; I desired help, and that they would name; upon which the lord president offered his services. Lord Monmouth said he thought he might be excused, upon his relation to lord Torrington, especially as they were not to command the fleet. Mr. Russell said, he had served long under him, and it would seem something indecent in him to be forward in offering his service in this particular: though there was nothing that could be thought fit but he would do, yet he supposed others might be as well. The rest offered, except lord Nottingham and lord Marlborough, who said afterwards, they thought it would be ridiculous in them to do it. Upon this I thought fit to give my own judgment for the first time, and choose lord Devonshire and lord Pembroke. I thought I could not fail in this, for there was not much choice, and these seemed the most proper to me, upon what I had heard them say, and the manner they said it. I told lord president, when I named them, that he could not be spared; but I saw he looked ill-satisfied; so when the council was up, I spoke to him, and bid him remember how necessary he was; he said he did not look upon himself as so tied, but he might go away upon occasions. I told him, if he were not by place, yet being the person you had told me whose advice I should follow, and rely the most on, I could not spare him." The queen mentions another cause of dissatisfaction in the lord president. Two of the lords of the treasury objected to signing a warrant for 8000*l.* to lady Plymouth, alleging, and, as the queen thought, with some reason, that "the sum was too great to be spared at present." This lady was Carmarthen's daughter.†

* Campbell, iii. 27.

† I have ascertained at the treasury, that lady Plymouth had a yearly

The queen says, in the same letter, that lord Shrewsbury had attended her dinner and supper.*

At first, every thing went on smoothly in the queen's council. "I am very uneasy" (the queen writes,) "in one thing, which is want of somebody to speak my mind freely to; for it is a great constraint to think and be silent, and there is so much matter, that I am one of Solomon's fools, who am ready to burst. I believe lord president and lord Nottingham agree very well, though I believe the first pretends to govern all, and I see the other is always ready to yield to him, and seems to me to have a great deal of deference for him; whether they always agreed or not, I cannot tell. Lord Marlborough is much with them, and loses no opportunity of coming on all occasions with the others. As yet, I have not found them differ, at least, so little, that I was surprised to find it so. I mean the whole nine, for it has never come to put any thing to the vote; but I attribute that to the great danger, I believe all have apprehended, which has made them of a mind." †

A question now arose, who should command the fleet in the room of lord Torrington.‡ Monmouth put in his claim; admiral Russell declined; but "whether that may be only modesty," said the queen, "I cannot tell." § But a proposition was made, strange indeed to modern ideas, for uniting in the command "one person of quality, and two seamen." ‖ It is undoubtedly possible, that this suggestion may have originated in a doubt of Russell's loyalty to the new government; but

pension of 2,000*l.*, granted, I presume, by her father-in-law, Charles II. and that this advance of 8000*l.* was in redemption of one half of it.

* "Lord Carmarthen will write to you about a thing he has just put in my head, and since I thought of it, I only fear that, and nothing else! I desired he would write it himself, believing what he said would have more weight with you than if it came from me, for you would believe I spoke much out of self-interest; I wish to God he could prevail. (p. 9.) Presuming that fear, means contemplate with fearful anxiety, I apprehend that Mary alludes to a request that her husband would return to England.

† July 17. 1690.

‡ Lord Torrington was brought to a court-martial, and acquitted. Campbell, p. 44.

§ July 16., p. 91. ‖ P. 91.

it appears that Russell himself was desirous of a divided command *, as there was not one man in England capable of doing it alone!" Among the eminent courtiers who sought a share in command, was lord Shrewsbury, the retired secretary of state, who made the offer in a letter to lord Carmarthen.† Russell himself was willing to serve with Shrewsbury, but he, and Marlborough, to whom the queen remembered Williams' predilection for Shrewsbury, and suggested it, were apprehensive that Carmarthen and Nottingham would object. The lord president was himself a candidate for the post. Lord Pembroke (who had been proposed) objected to have a man of quality to go, saying, "it was only to send him to be knocked on the head, without the hopes of having any credit of what was well done." Upon which lord president offered to go himself. I put that off with compliment, and said that I thought the best would be to name the two seamen, which would be sir R. Haddock and sir J. Ashby, being now first in the fleet, and leave the third person to your naming. . . . . This lord president approved."

The lords of the admiralty proposed urgently that Russell should have the sole command‡; but this good advice was given, not upon a sound principle of unity, but because they were indisposed to Haddock, one of the naval officers proposed. I extract Mary's account of this embarrassing proceeding: — "When they came, lord president told them what the resolution was; sir Thomas Lee (one of the admiralty) grew as pale as death, and told me that the custom was, that they used to recommend, and they were to answer for the persons, since they were to give them the commission, and did not know but they might be called to account in parliament.§. . . . Lord president argued with them; at last sir Thomas Lee came to say plainly, Haddock was the man they did not like. Lord Pembroke spoke for him, so did Sir John Lowther; Mr. Russell was gone

* July 12., p. 130. † P. 103.
‡ P. 105.

out; Priestman spoke against it, so did lord Carberry, and sir Richard Onslow.* At last sir Thomas Lee said, I might give them a commission if I pleased, but they could not. He talked long, and insisted upon their privilege. I said that I perceived the king then had given away his own power, and could not make an admiral which the admiralty did not like. He answered, *No, no more he could.* I was ready to say, that then the king should give the commission to such as would not dispute with him, but I did not, though I must confess I was heartily angry; it may be I am in the wrong, but as yet I cannot think so. Lord president, after more discourse, desired them to retire."

They were afterwards ordered to prepare the commission, when three of them sent to excuse their not signing. "I asked lord president what answer was to be sent, for he brought me the message. I told him I was much surprised: he was very angry, and talked at a great rate; but I stopped him, and told him I was angry enough, and desired he would not be too much so, for I did not believe it a proper time: he said, the best answer he could give from me was, that they would do well to consider of it. I desired he would add this,— I could not change my mind,— if it were proper to say so much. He said it was rather too little." — King William approved of his wife's behaviour, even to her wrath. "Last night," she writes in reply, "I received yours of the 3d July, and with great satisfaction that it was so plain. Your approving my anger is a great ease to me, and I hope may make things go on better if it be possible." †

.... "I shall do as much as lies in my power to follow your directions in all things whatever, and am never so easy as when I have them. Judge then what a joy it was to me to have your approbation of my behaviour; and the kind way you express it in, is the only comfort I can possibly have in your absence.

* All three, lords of the admiralty.

† Aug. 15., p. 114.

What other people say, I ever suspect, but when you tell me I have done well, I could be almost vain upon it. I am sure I have all the reason in the world to praise God, who has sustained me in things so difficult to flesh and blood, and has given me more courage than I could have hoped for. I am sure 't is so great a mercy that I can never forget it: we have received many. God send us grace to value them as we ought; but nothing touches people's hearts here enough to make them agree; that would be too much happiness."

These curious discussions ended in the appointment of Russell to the sole command.*

The difference about the fleet was hardly a question between the two parties of which the cabinet was composed. I know not whether we ought to ascribe to a dread of tory preponderance, — I speak of party, not of principle, — lord Devonshire's suggestion, that the parliament should be dissolved, "for he was sure it would do no good. . . . . I see it is a thing they are mighty set upon. Lord president, methinks, has very good arguments to try this point." †

It is not easy to imagine by what arguments lord Devonshire maintained the propriety of dissolving parliament, which had had only one, and that a quiet session. It is even less easy to account, upon any admissible reason, for the opinion professed by the whig admiral Russell upon another question which arose in the council: — "There has been a great debate this morning in the cabinet council, whether the commissioners of the admiralty should be trusted with the secret (of the expedition to Kinsale under Marlborough): Mr. Russell thought it was no matter if the whole town knew it. Lord president thought the whole success depends on its being a secret, and would not have the commissioners of the admiralty told of it by no means.' ‡

* I can find nothing concerning these transactions either at the Admiralty or at the State Paper Office. Russell's appointment is dated by Burchett on the 23d of December, 1690.

† Aug. 22., p. 120. ‡ Sep. 5., p. 128.

Did Russell desire that king James should be forewarned of the expedition? Carmarthen unwillingly consented to the expedition itself, disapproving of the defenceless state in which the withdrawal of troops left the English coast.

In parliament, matters went easily* during a whole session. But the continued war, as well on the Continent as in Ireland, produced in the next session † the usual complaints of mismanagement and profusion. Danby had not either the management of the finances, or the conduct of the war, and had now ceased to be the particular object of opposition and attack.

Still, the government generally now began to be unpopular. To the ordinary causes of discontent was added the cold and distant behaviour of the king, and his partiality to his Dutch favourites and Dutch guards.

Two constitutional measures of much importance were brought forward in this session ‡, and defeated by the influence, and in one case by the prerogative, of the crown. The first was a place bill, for excluding from the house of commons persons holding offices. This was rejected in the house of lords by a small majority.§ The other was the bill for triennial parliaments, which, after passing both houses, was rejected by the king.||

It would naturally be supposed that Carmarthen was in some degree responsible for the loss of these bills, though his name has never been particularly connected with them.

But we know, on the authority of the lord president

* Second session.

† The third session of the second parliament lasted from Oct. 22. 1691 to Feb. 24 1691-2. Parl. Hist. v. 405.

‡ Fourth session, Nov. 4. 1692 to March 14 1692-3. Parl. Hist. v. 707.

§ Jan. 3 1692-3. Lords' Jour. xv. 172. Parl. Hist. v. 751.

|| March 14. 1692-3. Lords' Jour. 289. Parl. Hist. 768. It has been lately asserted in the house of commons, that in consequence of the refusal of the royal assent to this bill, the commons withheld the supplies. I can find no foundation for this assertion. The royal assent was refused at the end of the fourth session of this parliament; in the next session, the commons themselves rejected a similar bill, and I find no record of any proceeding connected with the king's refusal.

himself, that he concurred in the triennial bill; though whether that concurrence was given on this occasion, or when the same bill was introduced again, I cannot say. Lord Carmarthen's words are consistent with either supposition.*

It is probable that the rejection of this bill was very much the act of the king himself, for it is recorded that he consulted sir William Temple† upon it; not through one of his ministers, but through his favourite, the earl of Portland. All intimacy had by this time apparently ceased between Carmarthen and Temple.

Some not unimportant changes were now made in the administration, one of which gave the great seal to Somers.‡ This appointment is not to be regarded as a decided symptom of William's returning partiality to the whig party. Considering that Somers was at this time attorney-general, and a very rising lawyer, it is hardly necessary to find a special cause for this promotion.§ And when we recollect that it immediately followed the rejection of the triennial bill, and was followed by a similar exercise of prerogative, it certainly is not indicative of any change of political principle. It appeared at this time to be William's policy to have ministers of all parties.

The re-appointment of lord Shrewsbury to the office of secretary of state in the ensuing spring||, may be cited with more plausibility as an indication of William's favour to the whigs; we shall soon come to other grounds upon which it may be accounted for.

It is well known that Carmarthen was one of those

* "I have lived to find kings to be true prophets as well as kings. . . . . I have seen many abuses made of the triennial act, about which king William was very much displeased with me for concurring; and used the very same expression which king Charles had done on the popish plot—*that I should live to repent it.* And I am not afraid to acknowledge that I have repented both, since I have seen such very wrong uses made of them."—Preface to Memoirs, p. xi.

† Life of Temple, ii. 134.

‡ In the spring of 1693.

§ See Burnet, iv. 187. Trenchard was made secretary of state, but it was in the room of Sidney, who was equally a whig.

|| March 16. 1693-4. Collins, iii. 40.

among king William's ministers, who are suspected of having carried on a traitorous correspondence with the exiled king. Bishop Burnet, in adverting to the inglorious naval campaign of 1693, mentions the suspicions of treachery, which "rose even as high as the secretary of state's office..... Our want of intelligence of the motives of the French, while they seemed to know every thing that we either did or designed to do, cast a heavy reproach upon our ministers, who were now broke so to pieces that they acted without union or concert; every one studied to justify himself, and to throw the blame upon others. A good share of this was cast on the earl of Nottingham; the marquis of Carmarthen was much suspected."*

These vague suspicions, repeated by the most credulous and prejudiced of historians, would scarcely deserve notice. And although there is stronger evidence in support of the charge against Carmarthen, I think that I shall show that its value has been somewhat overrated.

Macpherson, in his history "founded upon original papers," and only authoritative where it is supported by them, says, that in the year 1692, "the marquis of Carmarthen, in all his avowed zeal for the revolution, listened in secret to proposals for the restoration of James.† The authority to which the historian refers for this is, "Instructions to G. H., MS. Oct. 1691." Now the only paper which I can find that in any degree answers this description, shows that the lord president, far from being counted as a friend, was a peculiar object of jealousy with James: — "That he, (Mr. Ferguson), and all those he can influence, go on vigorously with disturbing the present government, and that *if Danby be got out*, of those proposed to succeed him we like Halifax the best."‡

It is scarcely possible that this can be intended as

* iv. 209.

† Hist ii. 5. 4to.

‡ Instructions by G. H. (George Holmes) to Mr. Ferguson. Orig. Papers, ii. 392.

evidence against Danby, — yet I can find no other of the time. Two years later there are some instructions to one of James's agents in England*, from which it might not unreasonably be inferred, that Carmarthen was deeply engaged in that interest: — "It is his majesty's pleasure, that you desire the earl of Danby to endeavour to gain admiral Killegrew to his service, since his majesty knows that he has an interest on him, that is, if he be to be employed. That his majesty expects, upon this conjuncture, that the earl of Danby will do him what service he can, and most particularly giving him time how to act against the prince of Orange, and by letting him know, as near as he can, what the said prince's designs may be, and his opinion how to prevent them, and that if he can answer for his son†, he by no means permit him to lay down his employment by sea. Earls Shrewsbury, Danby, Godolphin, Churchill, Russell, &c. that they do what in prudence they can to hinder money or retard it, and hinder the going out of the fleet so soon as it might do otherwise."

It is possible that Macpherson confounding dates, referred to this document; and I am inclined to think that it does support his allegation in its exact terms, and no farther; — Carmarthen *listened* to proposals in favour of James, and nothing more. It is not proved by this paper, nor is there, so far as my researches have extended, any reason for believing, that Carmarthen's conduct as a minister of king William was at any time or in any way influenced by his view of the interests of king James. Dalrymple's opinion is not much regarded; but I am inclined to believe with him‡, that "Carmarthen acted a courtier's part, neither giving nor refusing promises, because in all probability he had resolved to observe a neutrality in case James,

* The paper is styled, "Instructions to the Earl of Danby, Lords Godolphin and Churchill, by the Countess of Shrewsbury;" but they were evidently addressed to this female intriguer. — ii. 457.
† Peregrine, lord Dumblaine, who was in the English navy.
‡ iii. 226.

with the assistance of a French force, should return into England." Perhaps the first impression of an Englishman ought to be, that even if circumstances made it justifiable to be neuter between the two kings, the presence of the French force with one ought to have decided every man to side with the other; but however the army of Louis XIV. might have been offensive to England, she was familiarised to foreign interference, when Dutchmen mounted guard at the palace of the English kings, while that assembly was in deliberation which gave the crown to William.

The only other document which I find, adds nothing to the testimony against Carmarthen.

This is an anonymous letter of information from England*:—"The king of England (James) believes he may hope good success from his enterprise, because it is incontestable that he has for him the earl of Danby, prime minister to the prince of Orange, lord Godolphin, a lord of the treasury and a member of the privy council, the earl of Shrewsbury, who has been his first secretary of state, Russell, who is of the cabinet council, and has been an admiral, Churchill, who is first lieutenant-general, the son of the duke of Beaufort, and the son of the duke of Bolton. All these have served the prince of Orange with zeal, as long as they believed he could maintain himself in England, and have despised all sort of correspondence with the king. This shows that they are not of the same sentiment at present, and consequently that his majesty has more hopes than ever. . . . . . His majesty has the two admirals who command the fleet, and who are in correspondence with him, and from whom his majesty may expect every advantage. First, they have been trained by his majesty, and owe their fortunes to him, and expect more from him than the prince of Orange will ever give them, and therefore they have greater expectations from his majesty; moreover, they hate the prince of Orange on account of the insolence of which they think he has

* Macph. Orig. Pap. i. 458.

been guilty towards the nation; and lastly, they have reason to fear they will be sacrificed to the parliament, in order to save the prince of Orange, who will not fail to blame them for the loss of the Smyrna fleet. Delaval depends entirely upon the king; and Killegrew, the second in command, depends on the earl of Danby, who is for the king." After enumerating a great many peers and bishops who are in favour of James, as well as several cities and important places, the writer adds, — "The earl of Danby is lord lieutenant of the county of York, which is the largest county in England. He is governor also of the town and citadel of Hull, of which, consequently, his majesty is master whenever he chooses.* . . . . . *It is true, there are not convincing proofs of all this.*"

According to this informant, who writes at the end of 1693, there was a period in which Carmarthen would not engage in communication with the exiled king. We are not told what the circumstances were, which produced a change of sentiment in Carmarthen and others; and it is indeed rather inferred than asserted, — still less is it proved, — that such a change had occurred.

If Carmarthen was really treacherous, he acted very imprudently, for he promoted, if Dalrymple be correct, a searching inquiry into the correspondence with king James. Burnet says †, and it was proved upon the trial ‡, that he was very active in the arrest and prosecution of lord Preston; and Dalrymple § adds, he went so far in pressing the accused to name his associates, (among whom some whig peers were included), that the king found it necessary to stop him, lest too many of his subjects should be involved.

* Long accustomed to the misuse of their materials by historians, I know not that I ever met with a more unpardonable instance of this fault than in a passage of Macpherson, founded upon that part of the paper in which Hull is mentioned: —" Crawford, governor of Sheerness, undertook to deliver that fort to James. The marquis of Carmarthen, then president of the council, *promised for* Hull."

† iv. 119. ‡ St. Tr. xii. 696.

§ Dalr. 1691, iii. 149.

But this story (of which I know not the origin) is improbable. The proceedings in this case occurred during king William's absence in Holland; and there is a letter from lord Carmarthen, acquainting the king with the decision of the queen and her cabinet, to confine the criminal process to the cases in which treason could be proved by two witnesses. And Carmarthen mentioned it as his own opinion, that it would be better to keep the accusation, *in terrorem*, over the heads of the accused.*

There appears to have been scarcely a moment in the official life of Carmarthen, in which he was thoroughly contented with the position of the government, or the state of affairs. Some time after the king's return from Ireland, he addressed him upon the ill condition of affairs in that country. He recommended to him the appointment of a lord lieutenant; and named Shrewsbury, Chesterfield †, Pembroke ‡, Mulgrave §, or Godolphin ||, as "capable of doing his majesty that service." .... "Nay, so absolutely necessary," he added, "I think it is that something of this kind should be done, that rather than it should not, I do offer myself to your majesty for that service, though I am less fit than any of those I have named." The king's own presence, he told him, would be still better, but that was wanted elsewhere. "I beseech your majesty to take this affair of Ireland thoroughly into your consideration, being what the whole prosperity of your government depends upon in these kingdoms; and forgive me for telling your majesty so bold a truth as it is, that men's affections to the government do apparently decrease among all parties, and nothing but a more vigorous conduct of affairs can

* June 26. 1691. Dalr. iii. 185.

† Philip Stanhope, second earl.

‡ Thomas Herbert, eighth earl.

§ John Sheffield, earl of Mulgrave, afterwards duke of Buckingham, died 1720.

|| Sidney, first earl, of whom we have heard much in the reigns of Charles and James. His connection with the successful administration of queen Anne, has gained for him a reputation which he little deserved. He was one of the most eminent among the time-servers.

retrieve it, the effects of which must appear this next summer, either at sea, or in Ireland, or both; and a miscarriage in either will probably be fatal to the chief commanders (how innocent soever they be), and deeply prejudicial to your majesty. Although I have writ all this to your majesty as my own opinion, I find it to be also the opinion of all the thinking men that I converse with, and it is such a daily discourse (even amongst us who are of the committee for Irish affairs), how impossible it is for things to succeed in Ireland, under the present conduct of them, that I believe it to be the reason why we can so seldom get a number sufficient to make a committee, of which my lord Sidney and I are always two, and commonly sir Henry Goodricke the third; but (which is yet worse), if any others do chance to come, they seem to act like *pioneers* for pay rather than by inclination." *

While the president thus complained of his colleagues, his own conduct did not escape their observation. "The lord president," wrote Sidney about the same time, "hath been of late very peevish, and continually complaining. I am now his confidant, and he hath almost told me, that he would retire in a very little time." † Lord Marlborough too complained of the interference of the lord president in matters connected with the army. ‡

In the next session §, parliament was chiefly occupied

* Feb 20 1690-1. Dal iii. 177.

† Lord Sidney to the king, Feb. 27, p. 180.

‡ P. 247. In a letter of March 20 1690-1, (Dalr iii. 181), Lord Godolphin writes thus to the king.—I take for granted that your majesty, unless you were obliged to do it by law, would never choose out the earl of Danby, of all England, to fill that officer's place, through whose hands all your own revenue, all the public money of the kingdom, and all the accounts of both the one and the other, are to pass; and for these reasons, if the case does happen, I shall think it my duty to refuse to admit him (as far as it depends of me,) till the right of the patent is determined; unless your majesty should be pleased to signify your pleasure that you would give the place to him, though there were no patent in the case; which, I confess, I think you would no more do, than you would make him a bishop." I presume that Godolphin refers to some office in the exchequer which was about to be given to lord Danby, the son of Carmarthen, but I can ascertain nothing respecting it.

§ Fifth session, Nov. 7. 1693. Parl. Hist. v. 772.

in inquiries into the misfortunes at sea. The triennial bill was again introduced, and it was now rejected by the commons themselves. The place bill, which passed both houses, was now lost by the refusal of the royal assent.* The commons remonstrated, and resolved that whoever advised this refusal, was an enemy to the king and kingdom, but stopped short of an address to inquire the name of the adviser.

Those who have dated the commencement of "the Carmarthen administration" from the retirement of lord Shrewsbury, have dated its termination at the period of his reinstatement. There was not in either case any formal or complete transfer of the premiership, or indeed any premiership existing; it is probable that increasing age and discontent withdrew lord Carmarthen more and more from public business. About this time, the dukedom of Leeds† was conferred upon him, whether in consequence of the similar honour conferred upon Shrewsbury, or as a sort of compensation for the decrease of court influence, or from any cause less definite, I cannot say. It is remarkable that, in this promotion to the highest rank in the peerage, he was associated with Russell and Cavendish, — the father of one of his foremost prosecutors in the reign of Charles II., and one of those prosecutors in his own person.‡

But the new duke of Leeds did not cease to advise the crown, and we know that he was chiefly concerned in the advice now given to William in the following session §, and reluctantly followed, to pass the triennial bill. ||

* Jan. 25. 1693-4. p. 828. Lords', xv. 351 Commons', xi. 70 74. This session lasted till April 25. 1694.

† 1694.

‡ With the dukedom of Bedford and Devonshire, that of Newcastle, (since extinct) was conferred. It has been observed, that of four new dukes, three were whigs.

§ Sixth session, Nov. 12 1694. Parl. Hist. 859.

|| Mr. Cooke, in his History of Party, i. 532., mentions the passing of this bill as a proof that Carmarthen and Nottingham were not the king's advisers; but we have the best proof that Carmarthen did advise this measure. See Introd. to letters, p. xii.

But in this session, the duke of Leeds was once more under impeachment, for an offence much more injurious to his personal honour than those of which he had been formerly accused.

The charge now was, that he received 5,000*l.* from the East India Company, for his influence in passing the bill for the renewal of their privileges. In the midst of a variety of proceedings and discoveries concerning corrupt practices, it appeared that a large sum had been expended by sir Thomas Cooke when governor, for the special service of the East India Company. Cooke refused to give an account of this expenditure, and the commons passed a bill to oblige him to it. It does not appear when or how the name of the duke was first mentioned, but it is probable that a rumour had got abroad that he was implicated. When this bill went up to the lords, the duke spoke vehemently against it, and introduced what he was about to say with a most solemn protestation of his cleanness and innocence, and laying his hand upon his breast, declared upon his faith and honour, that he was perfectly disinterested, and had no part or concern in this matter, and therefore might the better appear against it, "which he did," (says the history*) "expressing great abhorrence of the bill."

It would strike one at first, that the duke, if innocent, would desire the bill to pass; but if I rightly comprehend the proceedings of the house of lords, with the concurrence, if not at the suggestion of the duke, the bill which (after examining sir Thomas Cooke) they substituted for that of the commons, was calculated to produce a more prompt and complete discovery of the truth, inasmuch as it indemnified Cooke from any evidence which he might give, and required him to make his confession at a much earlier period.†

The examination proceeded before a joint committee of both houses, and evidence was given whereon was

* V. 911.
† See the lords' reasons in Com. Jour. xi. 307.

founded a charge against the duke of receiving 5,500 guineas for using his endeavours to procure a charter for the East India Company.*

It was proved that one Bates was well acquainted with the duke, and had agreed with sir Basil Firebrace, who acted for the company, to neutralise the duke's supposed hostility, or to procure his co-operation. On these grounds Firebrace paid to Bates 5,500 guineas, the greater part of which had been brought back again, a very little time before the inquiry. Bates himself said that the duke (who declared against the forfeiture of the charter) promised his assistance, but refused the money, but that he gave leave to his servant, at Bates's request, to procure cash for the notes. And it was not till after some hesitation that he admitted that it was only within a few days that he had received the money from his servant Robart.

The duke was defending himself in the house of lords, when he heard of the impeachment, and immediately obtained a hearing in the house of commons. He admitted that he knew Bates, and had permitted him to bring sir Basil Firebrace to him on the part of the company. He confirmed the account which Bates had given, of his lending him his servant to procure the money for the notes which Bates had received, and said that Bates offered him the 5,500 guineas, which he refused, and recommended to Bates to keep it to himself. His speech in the commons was little more than a denial of the charge.†

There is nothing in the evidence at all inconsistent with the duke's account; but one most awkward circumstance had been proved, on which the duke said nothing. This was, that the money had not been

* Parl. Hist. p. 937.

† Dalrymple says (iii. 75), that the duke's speech in the house of commons, "in the confusion and anxiety of his spirits, whether they arose from the consciousness of innocence or of guilt, was not equal to the lustre of his former abilities, and he displeased the pride of his audience by an arrogant expression, on which he laid arrogant emphasis, that if it had not been for him, they had not then been sitting there." Dalrymple gives no authority.

handed over by Robart to Bates, on whose account he received it, for more than twelve months from the time of receipt; and the suspicious appearance of this fact was greatly increased when Robart himself fled the country. It is the duke's own statement that this man, upon coming to town upon a temporary absence, and hearing that his lord was impeached and Mr. Bates in prison, immediately absconded, saying, that he would write from his own country (Switzerland), "a true account of the matter of the 5,500 guineas to Mr. Bates."

For the retention of the money by Robart, and his subsequent flight, there are two conceivable reasons: — The duke may, notwithstanding his own denial, and Bates's, have either in the first instance, or afterwards, accepted the money, in which case it was the duke's interest to keep his servants out of the way: — or Robart may have played the part of Gehazi, and may have cheated Bates with a story of his master's change of mind, — and have therefore absconded, for his own safety.

Not either of these suppositions is inconsistent with the evidence of Bates, and Bates is in truth the only material witness in this part of the case; for Firebrace, whose evidence is pregnant with more suspicion against the duke, knew nothing but from Bates, who had an interest in deceiving him about the money, but who in fact did not tell him that the duke had received it.

I am not prepared to give a decided opinion for or against the guilt of the duke. But I do feel that his conduct in the affair of French money, with which his insidious friend Montagu tempted him, entitles him to the benefit of every doubt of which the case admits.

It is alleged that he showed no eagerness in detaining Robart; and certainly the prorogation of parliament* within a few days after the impeachment had been carried up to the lords, and which the commons were actually engaged upon, was not consistent with much

* On May 3. 1695. Parl. Hist. p. 941. Jour. 333.

anxiety for a trial. But in dealing with cases of this sort, we must have regard to the times. Public opinion did not visit peculation or bribery in high places with the indignation which now attaches to those offences. Nor was the imputation of them intolerable, as it would now be to a statesman regardful of his honour. Burnet* says, that 'the proceedings were dropped because too many people were implicated in the corrupt practices which had been partly developed.

The prorogation was followed by a dissolution. Nothing peculiarly connected with our subject occurred in the first session† of the new parliament, but I perhaps ought to notice the treason trial bill. This measure, which had failed in several former sessions, has been mentioned as one of those now adopted by the parliament in favour of the liberty of the subject.‡ It has of late been more generally regarded as a device of the complicated traitors whom both parties in the state contained at this time, for facilitating their escape from punishment in case of a detection of their treason.

This session produced also the association, signed by the members of both houses, on the occasion of "The assassination plot."

The association signed by the commons recognised king William as "rightful and lawful" king. The lords avoided this distinct recognition of the king's title, or at least thought that they avoided it, when they used the words "that king William hath the right by law to the crown of these realms, and that neither king James, nor the pretended prince of Wales, nor any other person, hath any right whatever to the same."§

The duke of Leeds signed this paper, which was refused by some others who had acted with him in the

* iv. 260.
† First session of third parl. p. 938. 991 Nov. 22. 1695, to April 27. 1696.
‡ Somerville, p. 416. See Parl. Hist. 965. Burnet, iv. 283. Ralph, ii. 612.
§ Parl. Hist. 991. Lords' Jour. xv. 683.

revolution government, especially lord Nottingham, and, what is more unaccountable, lord Halifax.*

In the next session†, occurred the remarkable proceedings against sir John Fenwick‡, for treasonable attempts in favour of king James. His narrative§ involved several high personages in the guilt of corresponding with the dethroned monarch,—Shrewsbury‖, Godolphin, Marlborough, Russell, and others, but not the duke of Leeds; and hopes were expressed of gaining certain forts through the governors or lieutenants,—namely, Plymouth, Berwick, Sheerness, and Landguard, but not Hull. Surely this is important *negative* evidence in favour of the duke's innocence of the charge, for which there is assuredly no positive testimony.

And the duke of Leeds, who was still president of the council, opposed the bill of attainder against Fenwick; and though not in the habit of protesting, he did twice protest¶ against the bill, as founded upon insufficient or inadmissible evidence, and too extraordinary in its nature to be adopted against a man so inconsiderable.

In the last session** of this parliament, the civil list as at last granted to king William for life††, a measure entirely conformable to the duke's monarchical principles. Nevertheless, he now became more and more uneasy in his situation: in the course of this session there was some talk of his retirement from office. He appears to have been quite unconcerned in the discussions which occurred in the king's presence, concerning official arrangements; and the report of them by the duke of Shrewsbury to lord Somers ‡‡, thus mentions him and his connections. He notices the king's opinion that

* This is asserted in the Parl. Hist. 993., and I do not find their names in the journals as having signed. I do not understand what process was used as to peers *present* (as these two were,) and not signing; to absentees, special requisitions were addressed.

† Second, Oct. 20. 1696, p. 995.

‡ State Trials, xii. 538.

§ Com Jour. xi. 577.

‖ Fenwick states that lord Shrewsbury laid down his office under William when he first began to communicate with lord Middleton, in favour of James; and that it was with the consent of James that he resumed his post.

¶ Lords' Jour. xvi. 44. 48.

** Third session of third parl. Dec. 3. 1697., p 1165.

†† P. 1168.

‡‡ April 14. 1697. Hardwicke Papers, ii. 429.

some alterations were necessary in the boards, several of the members of which "had so behaved themselves this session, that if no punishment were made, no government could be expected for the future; and that this must not be extended partially to one kind of men, but some should be displaced of different denominations. In general, I agreed with this, but submitted that a distinction was reasonably to be made, between persons who had done wrong only once through ignorance, and those who in the whole course of business had continually opposed. This argument met with so cold a reception, that I think it is not hard to guess what was meant by this speech; though I think, if it were intended against sir Walter Young and Mr. Clarke, we are obliged (I am sure I think myself so) to stand by them. This sort of discourse naturally brought on that of my lord president, &c., and I was surprised to find, how easy the king was in parting with him and his consequences. He said, the whole family of the Berties were against him, and declared himself not satisfied even with the vice-chamberlain, but lord Sunderland excused him. I perceive all that, as to the vice-chamberlain, is so prepared that it may be done as shall be thought best."

May it be inferred from this extract, that not only the relations of the duke of Leeds, but the duke himself, had taken a line in parliament unfavourable to the court? However this may be, the duke of Leeds retained the presidency of the council for two years more, and his retirement was simultaneous with that of Shrewsbury from the secretaryship of state.*

The two dukes were of different parties; and whatever may have been the cause of Shrewsbury's retirement†, there is nothing to connect that of Leeds with any party cause. It is probable that the king and he were mutually tired of each other, and Leeds must have had by this time enough of office.

* May, 1699. Kennet, iii. 768. He was succeeded by the earl of Pembroke.

† Somerville (518) carelessly mentions the dismissal of *both* as intended to conciliate the tories.

In 1697, peace had been made at Ryswick; but as I have not, in any debate or document, met with the lord president as connected with foreign affairs in the time of king William, I have not thought it necessary to give a mere narrative of public events.

On one occasion only I find any further mention of Leeds in this reign; and that I am not able to explain.

The house of commons, in the session* following that in which the duke went out of office, passed a bill for resuming the grants which had been made by the king of the forfeited estates in Ireland.† This bill the commons most unjustifiably tacked to a bill of supply, and would not entertain the amendments which the lords made to it. The king disliked the bill extremely, and was much inclined to encourage the lords to reject it, or perhaps even to refuse his assent; but he was persuaded that that step would be dangerous, and ultimately promised the house to agree to the commons' bill. "The earls of Jersey and Albemarle told me," says the earl of Dartmouth‡, "the king was convinced of the danger of rejecting the bill, but their present difficulty was, that they could not prevail with their people either to join with us" (who opposed it) "or keep away, and *they understood the duke of Leeds* (which was true,) *was trying to make use of the false step the king had made, to force him to a dissolution*, which, in the ferment the nation was in, must throw us into the utmost confusion."

This is the statement of a respectable tory; but no light is thrown by lord Dartmouth upon the motives of the ex-president, nor do I find elsewhere any reference to his proceedings.

On the accession of queen Anne, the duke of Leeds was sworn of her privy council. He attended the

* Second sess. of the fourth parl, Nov. 16. 1699, p. 1199. † P. 1215.
‡ Note on Burnet, iv. 439. On this business see Somerville, 520. Ralph, ii. 833.

house of lords, but nothing is known of his proceedings until December 1703, when he concurred with Marlborough, Godolphin, and others of the queen's ministers, in supporting, but without success, the bill for preventing occasional conformity.*

It is to be collected from lord Dartmouth's language†, that he also took part with the queen, in resisting the attempt, made in 1705, to bring over to England the presumptive heir to the throne. He distinguished himself on this occasion from lords Nottingham and Rochester, and other tories, who, apparently from factious motives, supported this motion, by which the queen was greatly offended.

In 1705, he spoke in affirmation of "the danger of the church;" but unless his speech is greatly abridged in the report‡, he used no arguments in support of his position. He continued to attend the house occasionally, and probably gave a silent support to all tory motions; but is not specially heard of until the memorable era of Sacheverel's trial.

He spoke upon the question whether the commons had made good the first article§ of their impeachment. Of the long speech in which he maintained the negative of this question, very little is known, but that little has some interest as connected with the proceedings of the duke at the revolution. — "He had a great share in the late revolution, but he never thought that things would have gone so far as to settle the crown on the prince of Orange, whom he had often heard say, that he had no such thoughts himself. That they ought to distinguish between resistance and revo-

* Parl. Hist. vi. 170 A bill for the same object had been introduced in December, 1702; and another was brought forward in 1704 (pp. 59. and 359). No doubt, Leeds supported these bills, hough he is not mentioned,

† Note on Burnet, v. 233.

‡ Parl. Hist vi. 498. See Burnet, v. 239.

§ Art. 1. — "He the said Henry Sacheverel, in his said sermon preached at St. Paul's, doth suggest and maintain that the necessary means, used to bring about the said happy revolution, were odious and unjustifiable. That his late majesty, in his declaration, disclaimed the least imputation of resistance, and that to impute resistance to the said revolution, is to cast black and odious calumny upon his late majesty and the said revolution." — State Trials, xv. 36.

lution, for vacancy or abdication was the thing they went upon, and therefore resistance was to be forgot; for had it not succeeded, it had certainly been rebellion, since he knew of no other but hereditary right."*

I am satisfied that the duke spoke sincerely when he disclaimed the intention of substituting William for James.

Sacheverel's defence evaded the question of the lawfulness of resistance in any possible case, and so, as he affirmed, had his sermon. The duke of Leeds, with others, contended in a protest†, that the sermon did *not* contain reflections on the memory of king William, or on the revolution‡; and with this opinion, were justified in acquitting him. But there is surely no doubt but that he was guilty of the resistance which he condemns, before there was any pretence for asserting the vacancy of the throne.

In the year following this trial, and Leeds's condemnation, for such it may perhaps not unreasonably be styled, of the revolution of 1688, he expressed, in a letter to the elector, his attachment to the house of Hanover. § For this, as contrasted especially with his disavowal of any but hereditary right, an historian has charged the duke with inconsistency. || If the imputation be just, surely, considering the age and situation

* Parl. Hist. vi 347.

† P. 33. The duke very rarely exercised the privilege of protesting, but he signed almost all the protests which this impeachment produced.

‡ For some remarks upon Sacheverel's trial, in connection with the doctrine of resistance and other political tenets, see Fraser's Magazine, xvi 52.

§ Nov. 1. 1710. — "Sir, I hope your electoral highness will pardon my acknowledging, in this manner, the extraordinary favours which I understand your highness has been pleased to show to my grandsons, Danby and his brother; and I am sorry my years will not allow me to go and do so myself. Whilst I was able, I was an actor, to the best of my power, to encompass those alterations, which were necessary for the security of our religion and laws; and as those alterations have justly brought the crown of these kingdoms into your illustrious family, so, I doubt not, but they will be preserved by it whenever they shall come to be under its protection; and although I may not live to pay my personal services, I hope I shall leave a family, both as well principled in loyalty, and as dutiful to your person and family, as they ought to be, and with that esteem which is due to your highness from all the world." — Macpherson's Orig. Papers, ii. 198.

|| Macpherson, ib., and Hist. ii. 466.

of the duke, the inconsistency was gratuitous and harmless.

The same writer quotes the statement of a Jacobite agent, that the duke of Leeds had endeavoured in vain to ascertain from queen Anne whether she would prefer to be succeeded by her brother.* If this conversation (supposing the story true) was previous to the duke's letter to the elector, it gives rise to no remark. If it was subsequent, and the duke of Leeds intended to abide by the result, it would exhibit him in that predicament of double-dealing in which undeniable evidence has placed his contemporaries, almost to a man.

In this year, 1710, the duke of Leeds published the collection of letters to which I have frequently referred. There are letters from the prince of Orange, Montagu, Sunderland, Godolphin, and Temple. I have already† taken from the duke's preface to this collection, what he says of the *amende honorable* which he had from the duke of Devonshire, and others, with whom he co-operated at the revolution. Another alleged reason for publication, is the misrepresentations of Dr. Kennet, and of other publications which I have not seen.

These letters decisively prove Danby's case as to the tendency of his foreign policy; and he takes occasion to subjoin a remark of considerable weight, upon the charge of bribery: — "It is not less difficult to conceive, how that parliament should be called a pensionary parliament, which was not only so sparing in the supplies which were necessary, and did appropriate every penny to particular uses upon account; and that I that was called the promoter and paymaster of those pensions, had not power to preserve myself from being impeached of treason by those pensioners, for what, in justice, my worst enemies could not have made a misdemeanor."‡

In the same year was published that collection of tracts on the character and administration of lord Danby,

* Orig. Pap. ii. 212. † P. 323 ‡ Danby Letters, p. 110.

which is cited as the *Memoirs.** It consists of tracts against lord Danby as well as for him; they relate chiefly to his financial administration. One writer on the adverse side is sir Robert Howard, who had been secretary to the treasury in the early part of Danby's treasurership, and appears to have quarrelled with his principal. A minute examination of a controversy so conducted, would fill a volume, which would probably be both uninteresting and unintelligible.

It is somewhat remarkable, that when the duke took pains to illustrate by those publications the transactions which had produced the impeachment of 1678, he should have taken no notice of the charge of 1693, more specific, more injurious, and much better supported. Is it possible that he regarded the affair of Robart as a by-gone trifle? or did he purposely avoid mentioning it, as a disagreeable truth?

From this time nothing more is heard of the duke of Leeds. He continued to attend the house of lords to the end of the session 1712. Before this time, Harley and St. John had come into power; it is probable that Leeds supported this tory administration; but there is nothing to show the part which he took.†

On the 26th of July, 1712, being then on his way into Yorkshire, he died at Easton, the seat of lord Pomfret, in Northamptonshire‡, in the eighty-first year of his age.

I have not in this, as in the instance of Robert Cecil, any account of the dying hours, nor have I the materials for saying a word of Thomas Osborne, in regard to the matter of religion. He certainly was not a public scof-

* "Memoirs relating to the impeachment of Thomas, earl of Danby (now duke of Leeds), in the year 1678; wherein some affairs of those times are represented in a juster light than has hitherto appeared, 1710." A preface dated April 22. 1710, and an introduction, state that the memoirs had "lain dormant for some years." Yet the first tract is dated in 1679, and there is an answer in 1680 By dormant, therefore, is meant, I presume, not unpublished, but forgotten. And it would seem that the duke took the unusual and bold course of republishing the attacks upon him as well as his answer.

† The name of his son Peregrine, who sat as lord Osborne, is affixed to some tory protests, but not that of the duke.

‡ Collins, i. 257. The duchess had died in 1703.

fer, or distinguished, in the profligate age in which he lived, for gross immorality. In the absence of evidence to the contrary, I may assume that he believed in the doctrines of the church of which he was the zealous and constant advocate; nor do I see reason to believe that he in his practice deviated, more or less than men of the world in general, from the duties of morality.

He was a man of unpopular manners.* Of such men, the good qualities are depreciated and the faults exaggerated. From the false position in which, during the more prominent part of his history, he was placed as a statesman, he is the hero of no section of political writers: in his principal views he was sound and consistent; in his practice as a minister weak and wavering. With opinions which would have placed him at the head of a powerful party, eminently protestant and English, he suffered for encouraging France and popery. Of a man so disguised, we look in vain to contemporaries for a character. Personal opponents necessarily blacken him; while, of coadjutors, some hate the man and some the principles.

If under Charles II. he was in a false position, he was not much better off under William, whom he had helped to the throne against his intentions, if not against his conscience; and who favoured principles, especially in religion, to which he had always been opposed.

There are some points of similarity between the two

* According to Evelyn, the bishop of Rochester (John Dolben) told Danby "of his stateliness and difficulty of access, and several other miscarriages, and which indeed made him hated"—Diary, Jan. 14. 1682, p. 538. The bishop also told "how earnestly the late earl of Danby, lord treasurer, sought his friendship, and what plain and sincere advice he gave him, from time to time, about his miscarriages and partialities; particularly his ousting sir John Duncomb from being chancellor of the exchequer, and sir Stephen Fox, above all, from paymaster of the army. The treasurer's excuse and reason was, that Fox's credit was so over-great with the bankers and monied men, that he could procure none but by his means. 'For that reason,' replied the bishop, 'I would have made him my friend, sir Stephen being a person both of honour and of credit.'"

I am not acquainted with the particulars of Duncomb's dismissal. In 1697, a Mr. Charles Duncomb was accused of frauds connected with exchequer bills; and Kennet says (iii. 743.) that a bill for punishing him was thrown out by the *casting vote* of the duke of Leeds, which, as the duke somewhere says, is nonsense. But he did oppose the bill, as appears by his protest, in Jour. xvi. 225.

politicians whose lives are recorded in this volume. But Cecil had through life some warm admirers; for Danby I can cite no contemporary friend.*

The praises of Dryden† have more notoriety than value. Those of sir William Temple are more estimable, but nearly as indiscriminate; nor were they heard after Danby's disgrace.

I therefore leave the unfortunate statesman to the judgment which may be formed upon the facts which I have related, and upon his own vindication of his conduct.

The letters of Danby are generally well written and clear, and exhibit nothing of the wily politician. Of his scholarship or accomplishments I know nothing: but, as Dryden is silent upon the topic, I presume that he was not a distinguished patron of literature:—had he hospitably entertained the wits of his age, instead of the members of parliament, it might have been better for his posthumous fame.

* Appendix C contains the accounts given by Burnet and lord Dartmouth; but the former had no intimacy with him, and the latter never till a late pe[illegible] I add [illegible] opinion of his administration by Hallam.

† The poet-laureate dedicated to lord Danby, when treasurer, his play of *All for Love*, [illegible] epistle fu[illegible] encomium upon the minister, the king, and monarchi[illegible] It is chiefly valuable as evidence of the favourable opinion then entertained of Danby's financial administration. Scott's Dryden [illegible] I shall perhaps be expected to mention the verses "On the young Statesmen," containing—

'And Danby's matchless impudence
Help'd to support the knave."

But there is no authority for ascribing them to Dryden, and they have no otherwise much claim to notice. See Scott, xv. 274.

APPENDIX.

A.

Lord Chancellor Shaftesbury's Speech in the Court of Exchequer, 26*th June*, 1673.—(See p. 20[illegible].) *Somers's Tr.* viii 28.

" My Lord Treasurer,

The king, of his grace and favour, has made choice of you to be lord high treasurer of England, as also treasurer of the exchequer, which are two distinct offices. The first you are already possessed of, by the king's delivery of the white staff, and have taken the oath for that office before me in another place. The other his majesty has conferred on you by his letters patent under the great seal, which I am to deliver to your lordship, after you have been sworn into that office in this court, of which by this patent you are made a chief judge.

Kings are as Gods, and bestow honour, riches, and power, where they please; but in this they are as men, that they can only choose, not make a person adequate to their employment; for if their choice be merely favour, not fitness, their omnipotency is quickly seen through. Our great master hath therefore chosen you, as he has had experience of these many years, as a member of this house of commons, which hath been so fruitful a nursery of our English ministers and statesmen. Besides, your lordship was some time since joined with another very able and willing person, in the treasurership of the navy, and after that managed it alone; so that before this you have been trusted with three parts out of five of the revenue of the crown.

My lord, you are in a place the very best that any English

subject is capable of; therefore you are in another position, not only to the king our master, but to us all, than you were ever before. He and us have all reason to look upon you as a man at ease, and that has nothing to wish but the prosperity of his master and the nation, that you may quietly and long enjoy so great a place under so good a master. There is no more to be asked of you in this condition, but that you know your own interests, and that will secure to you the king's and the nation's. I repeat them thus together, because none but mountebanks in state matters can think of them asunder. And, let me say to your lordship, that however happy you have been in arriving to this high station, yet *parta tueri non minor est virtus.* Many great men have proved unfortunate in not observing that the address and means to attain great things are oftentimes very different from those that are necessary to maintain and establish a sure and long possession of them.

My Lord, it will be no civility to you to hold you longer; the visit you are to make to the several offices of the exchequer will take you up the rest of this morning. I shall only add my good wishes, that your lordship may long enjoy the honour of this great employment, and his majesty the satisfaction of his choice.

B.

Lord Danby's Answer to the Articles of Impeachment, 1678. (From the Lords' Journals, xiii. 537. See p. 305.)

After reserving the benefit of the pardon, he answers by protestation,

"That as the articles are so general and uncertain, that he cannot make any particular answer thereto, or give any particular account thereof, ... is advised by his counsel, that there is no particular charge of high treason declared by any overt act, or certainly alleged; . . . . nor any other crime therein so certainly alleged and set down, that the said earl can any way take issue thereupon, or make answer, or his

just and lawful defence thereto. . . . . It never entered into his heart to encroach any regal power to himself, by any way or means whatsoever, much less by treating in matters of war and peace with any foreign prince or ambassador in his own name, if it be meant so by the said articles; but if it be meant that he so treated in his majesty's name (as he hopes it is), or gave instructions to his majesty's ambassadors abroad, without communicating the same to the secretaries of state, and the rest of his majesty's council, and against the express declaration of his majesty and his parliament [illegible] particular instance thereof had been laid down in the said articles, he could have given a particular account thereof. . . . . Whatsoever he acted in such affairs was by the advice and privity of his majesty's council and secretaries of state, or by his majesty's own express command and directions, if perhaps, the same was not made known to the council or secretaries of state. . . . . He never endeavoured any subversion of the government, nor had he any such design as is in the articles alleged; nor did he continue the army when raised, nor was it in his power so to do; . . . . . . but as the money for [illegible] anding came into the exchequer, he signed warrants [illegible] payment of it to the paymaster-general &c., whereby he [illegible] all that in him lay that the money should not be misemployed. He never proposed or negotiated for any peace with the French king on any terms whatsoever, nor had he ever any such wicked designs, intents, or purposes as are mentioned, nor did he ever receive any money at all from the French king, or by his directions, to or for any purpose whatsoever, nor did he ever attempt or endeavour to procure any sum of money whatsoever, either great or small, for the carrying on or maintaining of any such wicked or ill design or purpose as is charged upon him; but whatsoever he proposed or negotiated in any affairs or matters relating to peace or war, the same was with and by his majesty's command, privity, or directions, and not otherwise, and without any traitorous or ill design or purpose.

. . . . . . He cannot possibly imagine the reason wherefore he should be charged to be popishly affected, he having always been educated in, and a professor of the true protestant religion established in the church of England, and is no

way conscious to himself of having acted any thing contrary thereto, or tending in the least to the prejudice or subversion thereof, which might give any just cause of suspicion of his being popishly affected."

He then tells the story of the king's sending him papers about the plot, and sending Kirby and Tonge to him, &c.; and he constantly informed the king of what passed.

"He made several applications, and was very importunate with his majesty he might have liberty to make known the same to others of his majesty's council, but could not obtain liberty so to do; wherefore his not revealing the same to others ought to be attributed to his duty, and as to any other ill intent or design whatsoever. . . . . He had none other notice of the said plot, than what was afterwards given publicly to him and the rest of his majesty's council together, neither has he at any time suppressed any evidence, or reproachfully or otherwise discountenanced the king's witnesses, in discovering of the plot, but, on the contrary, was the most active person in causing of the papers of Coleman to be seized, whereon great part of the plot was discovered; and he did deliver all the said papers to the privy council, and the same were transmitted [illegible] to the parliament, where the said earl conceiveth they now remain.

He believes that nearly the sum mentioned within the space of three years, though not within the time mentioned, hath been issued "by privy seal for secret service, and that upon such privy seals many considerable sums of money have been paid for public uses, such payments being oftentimes made both for saving charge of new privy seals, and to save a great part of the fees of the exchequer: but what part of the said sum is meant to be paid for unnecessary pensions, the said earl knoweth not, but all the said monies were issued out by him by legal warrant, and according to the usual course in such cases. And what branch of his majesty's revenue was at any time diverted out of the known method and government of the exchequer, he the said earl knoweth not: he, during all the time he had the honour to serve his majesty in the office of lord high treasurer, having taken all the care he could, that all and every branch of his majesty's revenue

should be duly brought into the exchequer, and issued out there: thence, by tallies struck in the ordinary and usual manner, as he doubteth not but will appear upon inspection thereof, and of the accounts taken thereon, and still remaining in the Exchequer. . . . He knoweth not which of his majesty's commissioners are meant to have been put out of their offices, there having been divers commissioners removed in several offices of the revenue; but sure he is, that he did not remove, nor procure any to be removed, for any such reason as is alleged. But when commissioners were constituted by commission in an office during the king's pleasure (as all commissioners for managing any part of his majesty's revenue are), if his majesty were pleased, upon any occasion, to renew such commission, and leave any of the former commissioners out of the new commission, he hopes he hath not in any way offended therein.

"He must needs acknowledge he served a most gracious and bountiful royal master, who was graciously pleased freely to confer his bounty upon him, yet he hath not, during the time of his serving his majesty in the said office, gained any such considerable estate, as should render him suspected of using ill means for the obtaining of it: many of his predecessors in that office having in less time gained more considerable and greater estates than he hath, and yet were never accused for using any indirect or ill means in obtaining or procuring the same. . . . He never used any indirect means whatsoever, nor by any indirect means procured from his majesty any gift or grant whatsoever, nor is he in the least knowing or sensible that he hath offended against any act of parliament in that behalf; but for that the said earl is sensible of his own weakness in the management of so great an office and employment, and that although he knoweth his heart to be sincere, having never admitted a thought into it leading either to treason or to any other crime against his majesty or the government as by law established, yet that he may have erred out of ignorance, or for want of understanding or ability to manage an office of so great trust, wherein his majesty was pleased to place him, and for that he cannot foresee what misinterpretation or severe construction may be put upon any of

his actions in a place of so great trust, and chiefly that he may not seem to waver his majesty's grace and favour to him, the said earl for plea saith, and humbly offereth" &c. . . . [his plea of pardon.]

C.

Bishop Burnet's Character of Danby.

"1673. They at last pitched upon sir Thomas Osborne, a gentleman of Yorkshire, whose estate was much sunk. He was a very plausible speaker, but too copious, and could not easily make an end of his discourse. He had been always among the high cavaliers, and missing preferment, he had opposed the court much, and was one of lord Clarendon's bitterest enemies. He gave himself great liberties in discourse, and did not seem to have any regard to truth, or so much as the appearance of it, and was an implacable enemy: but he had a peculiar way to make his friends depend on him, and to believe he was true to them. He was a positive and undertaking man, so he gave the king great ease, by assuring him all things would go according to his mind in the next session of parliament. And when his hopes failed him, he had always some excuse ready to put the miscarriage upon. And by this means he got into the highest degree of confidence with the king, and maintained it the longest of all that ever served him." — *Burnet's Own Times*, ii. 12.

Lord Dartmouth's Note upon the above Passage.

"I never knew a man that could express himself so clearly, or that seemed to carry his point so much by force of a superior understanding. In private conversation he had a particular art in making the company tell their opinions without discovering his own; which he would afterwards make use of very much to his advantage, by undertaking that people should be of an opinion that he knew was theirs before."

Extracts from Mr. Hallam's Constitutional History of England.

"The earl of Danby had virtues as an English minister which serve to extenuate some great errors, and an entire want of scrupulousness in his conduct. Zealous against the church of Rome and the aggrandisement of France, he counteracted, while he seemed to yield to, the prepossessions of his master. If the policy of England before the peace of Nimeguen was mischievous and disgraceful, it would evidently have been far more so, had the king and duke of York been abetted by this minister in their fatal predilection for France. We owe to Danby's influence, it must ever be remembered, the marriage of the princess Mary to the prince of Orange, the seed of the revolution and the act of settlement, — a courageous and disinterested counsel, which ought not to have proved the source of his greatest misfortunes. But we cannot pretend to say that he was altogether as sound a friend to the constitution of his country as to her national dignity and interests. I do not mean that he wished to render the king absolute. But a minister, harassed and attacked in parliament, is tempted to desire the means of courting his opponents, or at least of augmenting his own sway. The mischievous bill that passed the house of lords in 1675, imposing as a test to be taken by both houses of parliament, as well as all holding beneficed offices, a declaration that resistance to persons commissioned by the king was in all cases unlawful, and that they would never attempt any alteration in the government in church or state, was promoted by Danby, though it might possibly originate with others. . . . . . It is certainly possible that a minister who, aware of the dangerous intentions of his sovereign or his colleagues, remains in the cabinet to thwart and countermine them, may serve the public more effectually than by retiring from office; but he will scarcely succeed in avoiding some material sacrifices of integrity, and still less of reputation. Danby, the ostensible adviser of Charles II., took on himself the just odium of that hollow and suspicious policy which appeared to the world. We know indeed that he was concerned against his own judgment in the king's secret receipt

of money from France, (ii. 538.) . . . . . . The compliance of Danby with the king's corrupt policy had been highly culpable, but it was not unprecedented; it was even conformable to the court standard of duty, and as it sprung from too inordinate a desire to retain power, it would have found an appropriate and adequate chastisement in exclusion from office. We judge perhaps somewhat more favourably of lord Danby than his contemporaries at that juncture were warranted to do; but even then he was rather a minister to be pulled down than a man to be severely punished. His own great and undeniable service to the protestant and English interests should have palliated a multitude of errors. Yet this was the mainspring and first source of the intrigue that ruined him." (p. *555.*)

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